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Commission on Crime Prevention and Criminal Justice

Report on the fifteenth session (27 May 2005 and 24-28 April 2006)

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Contents

Chapter		Paragraphs	Page
I.	Matters calling for action by the Economic and Social Council or brought to its attention	1	1
A.	Draft resolutions to be recommended by the Economic and Social Council for adoption by the General Assembly	1	1
I.	Strengthening the United Nations Crime Prevention and Criminal Justice Programme and the role of the Commission on Crime Prevention and Criminal Justice as its governing body		1
II.	International cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims		3
B.	Draft resolutions for adoption by the Economic and Social Council	2	4
I.	United Nations standards and norms in crime prevention		4
II.	Implementation of the Programme of Action, 2006-2010, on strengthening the rule of law and the criminal justice systems in Africa		30
III.	Providing technical assistance for prison reform in Africa and the development of viable alternatives to imprisonment		32
IV.	Strengthening basic principles of judicial conduct		36
V.	International cooperation in the fight against corruption		45
VI.	Strengthening the rule of law and the reform of criminal justice institutions, including in post-conflict reconstruction		48
VII.	Follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice		50
VIII.	Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking		53
IX.	International Permanent Observatory on Security Measures during Major Events		58
X.	Crime prevention and criminal justice responses to violence against women and girls		59
C.	Draft decisions for adoption by the Economic and Social Council	3	62
I.	Report of the Commission on Crime Prevention and Criminal Justice on its fifteenth session and provisional agenda and documentation for its sixteenth session		62
II.	Appointment of a member of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute		66
II.	Work of the United Nations Office on Drugs and Crime	4-24	67
	Deliberations	6-24	68

III. Thematic discussion on maximizing the effectiveness of technical assistance provided to Member States in crime prevention and criminal justice 25-62 72
A. Deliberations 29-51 72
B. Workshop 52-62 79
IV. Follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice 63-73 84
A. Deliberations 65-72 84
B. Action taken by the Commission 73 86
V. International cooperation in combating transnational crime 74-111 87
A. Deliberations 76-106 87
B. Action taken by the Commission 107-111 93
VI. Strengthening international cooperation and technical assistance in preventing and combating terrorism 112-129 95
A. Deliberations 114-128 95
B. Action taken by the Commission 129 98
VII. Use and application of United Nations standards and norms in crime prevention and criminal justice 130-157 99
A. Deliberations 132-152 99
B. Action taken by the Commission 153-157 103
VIII. Strategic management and programme questions 158-173 105
A. Deliberations 160-172 105
B. Action taken by the Commission 173 109
IX. Provisional agenda for the sixteenth session of the Commission 174-179 110
A. Deliberations 176-178 110
B. Action taken by the Commission 179 111
X. Adoption of the report of the Commission on its fifteenth session 180 112
XI. Organization of the session 181-191 113
A. Opening and duration of the session 181 113
B. Attendance 182 113
C. Election of officers 183-188 113
D. Adoption of the agenda and organization of work 189 114
E. Documentation 190 115
F. Closure of the fifteenth session 191 115

Annexes

I. Attendance ... 116

II. Financial statement on the draft resolution entitled "Follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice" ... 121

III. Financial statement on the draft resolution entitled "International cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims" ... 122

IV. Financial statement on the draft resolution entitled "International cooperation in the fight against corruption" ... 123

V. Financial statement on the draft resolution entitled "Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking" ... 125

VI. Financial statement on the draft resolution entitled "Crime prevention and criminal justice responses to violence against women and girls" ... 126

VII. Draft resolution entitled "International cooperation in preventing and combating international trafficking in timber and timber products from illegal logging" ... 127

VIII. Financial statement on the draft resolution entitled "International Permanent Observatory on Security Measures during Major Events" ... 130

IX. Financial statement on the draft resolution entitled "United Nations standards and norms in crime prevention" ... 131

X. Financial statement on the draft resolution entitled "Implementation of the Programme of Action, 2006-2010, on strengthening the rule of law and the criminal justice systems in Africa" ... 132

XI. Financial statement on the draft resolution entitled "Providing technical assistance for prison reform in Africa and the development of viable alternatives to imprisonment" ... 133

XII. Financial statement on the draft resolution entitled "Strengthening basic principles of judicial conduct" ... 135

XIII. Financial statement on the draft resolution entitled "Strengthening the rule of law and the reform of criminal justice institutions, including in post-conflict reconstruction" ... 137

XIV. Draft provisional agenda for the sixteenth session of the Commission on Crime Prevention and Criminal Justice: proposal by the United States of America ... 139

XV. List of documents before the Commission at its fifteenth session ... 140

Chapter I

Matters calling for action by the Economic and Social Council or brought to its attention

A. Draft resolutions to be recommended by the Economic and Social Council for adoption by the General Assembly

1. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the approval of the following draft resolutions for adoption by the General Assembly:

Draft resolution I

Strengthening the United Nations Crime Prevention and Criminal Justice Programme and the role of the Commission on Crime Prevention and Criminal Justice as its governing body

The General Assembly,

Recalling its resolution 46/152 of 18 December 1991, in which it approved the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme, according to which the United Nations Trust Fund for Social Defence[1] was renamed the United Nations Crime Prevention and Criminal Justice Fund and became an integral part of the Programme,

Recalling also its resolution 55/25 of 15 November 2000, in which it decided that, until the Conference of the Parties to the United Nations Convention against Transnational Organized Crime decided otherwise, the account referred to in article 30 of the Convention[2] would be operated within the United Nations Crime Prevention and Criminal Justice Fund,

Recalling further its resolution 58/4 of 31 October 2003, in which it decided that, until the Conference of the States Parties to the United Nations Convention against Corruption decided otherwise, the account referred to in article 62 of the Convention[3] would be operated within the United Nations Crime Prevention and Criminal Justice Fund,

Taking note of the Secretary-General's bulletin on the organization of the United Nations Office on Drugs and Crime,[4] by which the Secretary-General decided that the United Nations Office on Drugs and Crime would be established to implement the Organization's drug programme and crime programme in an integrated manner and that the Executive Director would be responsible for all the activities of the Office, as well as its administration,

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[1] See Economic and Social Council resolution 1086 B (XXXIX).

[2] Resolution 55/25, annex I.

[3] Resolution 58/4, annex.

[4] ST/SGB/2004/6.

Considering that, starting from the biennium 2004-2005, a consolidated budget for the United Nations Office on Drugs and Crime has been prepared, including budgets for its drug and crime programmes,

Considering also that the Commission on Crime Prevention and Criminal Justice, in accordance with the procedures established by the General Assembly in its resolution 41/213 of 19 December 1986 and relevant subsequent resolutions, already provides its views and guidance on the proposed biennial programme plan and on the crime programme, which forms the basis for the formulation of the proposed programme budget for the next biennium and whose narrative part is subsequently considered by the Commission,

Noting the delegation of authority for the management of the United Nations Crime Prevention and Criminal Justice Fund from the Secretary-General to the Director-General of the United Nations Office at Vienna,

Considering that it would be opportune to grant the Commission on Crime Prevention and Criminal Justice the same powers with respect to the United Nations Crime Prevention and Criminal Justice Fund as the Commission on Narcotic Drugs has with respect to the Fund of the United Nations International Drug Control Programme,

1. *Authorizes* the Commission on Crime Prevention and Criminal Justice, as the principal United Nations policymaking body on crime prevention and criminal justice issues, to approve, on the basis of the proposals of the Executive Director of the United Nations Office on Drugs and Crime, bearing in mind the comments and recommendations of the Advisory Committee on Administrative and Budgetary Questions, the budget of the United Nations Crime Prevention and Criminal Justice Fund, including its administrative and programme support costs budget, other than expenditures borne by the regular budget of the United Nations, without prejudice to the powers of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, as provided for in that Convention,[5] and to the powers of the Conference of the States Parties to the United Nations Convention against Corruption, as provided for in that Convention;[6]

2. *Requests* the Advisory Committee on Administrative and Budgetary Questions to submit its comments and recommendations on the biennial consolidated budget for the United Nations Office on Drugs and Crime to the Commission on Crime Prevention and Criminal Justice;

3. *Requests* the Commission on Crime Prevention and Criminal Justice to report to the Economic and Social Council in 2007 on how it plans to carry out those administrative and financial functions;

4. *Requests* the Secretary-General to promulgate financial rules for the United Nations Crime Prevention and Criminal Justice Fund.

[5] Resolution 55/25, annex I.

[6] Resolution 58/4, annex.

Draft resolution II

International cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims

The General Assembly,

Concerned at the increase in the offence of kidnapping in various countries of the world and at the harmful effects of that crime on victims and their families, and determined to support measures to assist and protect them and to promote their recovery,

Reiterating that the kidnapping of persons under any circumstances and for any purpose constitutes a serious crime and a violation of individual freedom that undermines human rights,

Concerned at the growing tendency of organized criminal groups and also of terrorist groups in certain circumstances to resort to kidnapping, especially for the purpose of extortion, as a method of accumulating capital with a view to consolidating their criminal operations and undertaking other illegal activities, regardless of their purposes, such as trafficking in firearms and drugs and money-laundering,

Convinced that any linkage of various illegal activities involving kidnapping poses an additional threat to quality of life and hinders economic and social development,

Convinced also that the United Nations Convention against Transnational Organized Crime[7] provides a legal framework when necessary for international cooperation with a view to preventing, combating and eradicating kidnapping,

Recalling its resolution 59/154 of 20 December 2004, entitled "International cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims", in which it requested the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to prepare a manual, for use by competent authorities, of proven and promising practices in the fight against kidnapping,

Acknowledging the financial and technical contributions made by Member States to the preparation of the manual,

1. *Vigorously condemns and rejects once again* the offence of kidnapping, under any circumstances and for any purpose;

2. *Notes with satisfaction* the publication of the operational manual against kidnapping prepared pursuant to its resolution 59/154, and expresses its appreciation to the intergovernmental group of experts entrusted with the preparation of the manual;

3. *Encourages* Member States to continue to foster international cooperation, especially extradition, mutual legal assistance, collaboration between

[7] Resolution 55/25, annex I.

law enforcement authorities and exchange of information, with a view to preventing, combating and eradicating kidnapping;

4. *Calls upon* Member States that have not yet done so, in furtherance of the fight against kidnapping, to strengthen their measures against money-laundering and to engage in international cooperation and mutual legal assistance in, inter alia, the tracing, detection, freezing and confiscation of proceeds of kidnapping;

5. *Also calls upon* Member States to take measures intended to provide adequate assistance and protection to victims of kidnapping and their families;

6. *Invites* Member States, once they have considered the operational manual, to consider the possibility of using it in their national efforts to combat kidnapping, and requests the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office,[8] to provide to Member States, upon request, technical assistance and advice in implementing the provisions of the manual;

7. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission on Crime Prevention and Criminal Justice at its sixteenth session on the implementation of the present resolution, and thereafter, to share its report with the Conference of the Parties to the United Nations Convention against Transnational Organized Crime.

B. Draft resolutions for adoption by the Economic and Social Council

2. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft resolutions:

Draft resolution I

United Nations standards and norms in crime prevention

The Economic and Social Council,

Taking note of General Assembly resolution 56/261 of 31 January 2002, entitled "Plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century", in particular of section VIII of the plans of action, relating to action in the context of crime prevention to implement the relevant commitments undertaken in the Vienna Declaration,[9]

Bearing in mind its resolution 2002/13 of 24 July 2002, in which it accepted the Guidelines for the Prevention of Crime, contained in the annex to that resolution, invited Member States to draw upon those Guidelines, as appropriate, in the development or strengthening of their policies in the field of crime prevention and criminal justice, and requested the Secretary-General to report to the

[8] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

[9] General Assembly resolution 55/59, annex.

Commission on Crime Prevention and Criminal Justice at its fourteenth session on the implementation of the resolution,

Recalling its resolution 2003/26 of 22 July 2003 on prevention of urban crime, in which it encouraged Member States to draw upon the Guidelines for the Prevention of Crime and to share their experience gained in that regard, including in their inputs to the report of the Secretary-General on the Guidelines, and requested the United Nations Office on Drugs and Crime and the United Nations Human Settlements Programme to assist Member States, upon request, to prepare proposals for the provision of technical assistance in the area of crime prevention in accordance with the Guidelines,

Recalling also its resolution 2004/31 of 21 July 2004 on prevention of urban crime, in which it welcomed the initiative of the United Nations Office on Drugs and Crime to establish a database of good practices in the area of urban crime prevention, in coordination with the United Nations Human Settlements Programme and the relevant institutes of the United Nations Crime Prevention and Criminal Justice Programme network,

Taking note of its resolution 2005/22 of 22 July 2005 on action to promote effective crime prevention, in which it invited Member States, the United Nations Office on Drugs and Crime and other entities to support a more integrated approach to building capacity in crime prevention and to promote crime prevention cooperation as a contribution to the establishment and strengthening of the rule of law, and requested the United Nations Office on Drugs and Crime to continue to undertake action in relation to gathering information on standards and norms in crime prevention and criminal justice, given its importance as a platform for the exchange of information and successful practices in crime prevention, and to pay due attention to crime prevention with a view to achieving a balanced approach between crime prevention and criminal justice responses,

Recalling its resolution 2003/30 of 22 July 2003 on United Nations standards and norms in crime prevention and criminal justice, in which it decided to group such standards and norms into categories for the purpose of targeted collection of information, in order to better identify the specific needs of Member States with a view to improving technical cooperation, and in which it called upon Member States, in responding to inquiries on the application of such standards and norms, to focus on identifying difficulties that have been encountered in their application, ways in which technical assistance could overcome those difficulties and desirable practices in prevention and control of crime,

Recalling also its resolution 2004/28 of 21 July 2004 on standards and norms in crime prevention and criminal justice, in which it requested the Secretary-General to convene a meeting of intergovernmental experts and, in cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, to design information-gathering instruments on, inter alia, standards and norms related primarily to crime prevention and victim issues,

Aware that the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice,[10] endorsed by the General Assembly in its resolution 60/177 of 16 December 2005, recognized that

[10] A/CONF.203/18, chap. I, resolution 1.

comprehensive and effective crime prevention strategies can significantly reduce crime and victimization, and urged that such strategies address the root causes and risk factors of crime and victimization and that they be further developed and implemented at the local, national and international levels, taking into account, as appropriate, inter alia, the Guidelines for the Prevention of Crime,

Recalling that concern was expressed in the Bangkok Declaration over the expansion of transnational organized crime and of terrorism,

Calling attention to the report entitled "Crime and Drugs as Impediments to Security and Development in Africa: a Programme of Action 2006-2010", which was endorsed by the Round Table for Africa held in Abuja on 5 and 6 September 2005, hosted by the Government of Nigeria and organized by the United Nations Office on Drugs and Crime, which includes application of the Guidelines for the Prevention of Crime as one potential priority for addressing conventional crime,

Aware of the scope for significant reduction in crime and victimization through knowledge-based approaches, technical and financial assistance and cooperation, and of the contribution that effective crime prevention can make in terms of the safety and security of individuals and their property, as well as to the quality of life in communities around the world,

1. *Notes with appreciation* the work of the Intergovernmental Expert Group Meeting on Crime Prevention, held in Vienna from 20 to 22 March 2006;

2. *Expresses its gratitude* to the Government of Canada for its financial support in the organization of the Intergovernmental Expert Group Meeting and to the European Institute for Crime Prevention and Control, affiliated with the United Nations, as well as the International Centre for the Prevention of Crime, associated with the United Nations, for assisting in the preparation of the information-gathering instrument on United Nations standards and norms related primarily to crime prevention;

3. *Approves* the information-gathering instrument for United Nations standards and norms related primarily to crime prevention, contained in the annex to the present resolution, for purposes of dissemination;

4. *Requests* the Secretary-General to forward the information-gathering instrument to Member States;

5. *Invites* Member States to reply to the information-gathering instrument and to include any comments or suggestions they may have in relation to the instrument;

6. *Requests* the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office,[1] to seek information from relevant intergovernmental and non-governmental organizations within the mandate of the Commission on Crime Prevention and Criminal Justice, and from the institutes of the United Nations Crime Prevention and Criminal Justice Programme network and other

[1] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

relevant United Nations entities with respect to their capacity to provide technical assistance in relation to areas outlined in the information-gathering instrument;

7. *Invites* Member States and other relevant entities to inform the United Nations Office on Drugs and Crime of existing centres and focal points in the area of crime prevention, if applicable, in order to facilitate networking and cooperation, also keeping in mind the invitation to that end contained in the annex to Economic and Social Council resolution 2003/30;

8. *Requests* the Secretary-General to convene, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the United Nations Office on Drugs and Crime,[12] an intergovernmental expert group meeting, based on equitable geographical representation and open to observers, in cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, to design an information-gathering instrument in relation to United Nations standards and norms related primarily to victim issues and to study ways and means to promote their use and application, and to report on progress made in that connection to the Commission at its sixteenth session;

9. *Requests* the United Nations Office on Drugs and Crime, when submitting a proposed questionnaire to the Commission on Crime Prevention and Criminal Justice for approval, to provide a report on whether the information being sought could be obtained from existing mechanisms so as to avoid duplication and overlap;

10. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its sixteenth session on the use and application of United Nations standards and norms related primarily to crime prevention, in particular as regards the following:

(a) The difficulties encountered in the application of United Nations standards and norms related primarily to crime prevention;

(b) Ways in which technical assistance can be provided to overcome those difficulties;

(c) Useful practices in addressing existing and emerging challenges in this field;

(d) Suggestions from Member States of ways to further improve the existing standards and norms.

Annex

Information-gathering instrument on United Nations standards and norms related primarily to the prevention of crime

Pursuant to Economic and Social Council resolution 2004/28 of 21 July 2004, the following questionnaire is designed as a tool to collect information to assist in

[12] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

the preparation of the report of the Secretary-General, in particular as regards the following:

(a) The difficulties encountered in the application of United Nations standards and norms in crime prevention;

(b) Ways in which technical assistance can be provided; and

(c) Useful practices and emerging challenges.

It is not intended to produce a scorecard of how well States are doing. It addresses the main sections of the Guidelines for the Prevention of Crime (Council resolution 2002/13, annex) and, as the case may be, other relevant instruments.

Economic and Social Council resolution 2002/13 of 24 July 2003 on action to promote effective crime prevention accepted the Guidelines for the Prevention of Crime and also requested the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice on the implementation of that resolution. In the Guidelines, crime prevention refers to "strategies and measures that seek to reduce the risk of crimes occurring" by influencing "their multiple causes" (para. 3). It includes social crime prevention (or prevention through social development), local, community or neighbourhood-based crime prevention, situational crime prevention and measures to prevent recidivism. The definition does not include law enforcement and other criminal justice intervention, even though these may have crime prevention aspects. It is cognizant, however, of the need to take account of "the growing internationalization of criminal activities" (para. 4). When referring to the community, it refers in essence to "the involvement of civil society at the local level" (para. 5).

Other instruments relevant to the prevention of crime include:

- Economic and Social Council resolution 1995/9 of 24 July 1995, the annex to which contains the Guidelines for cooperation and technical assistance in the field of urban crime prevention
- General Assembly resolution 51/60 of 12 December 1996, the annex to which contains the United Nations Declaration on Crime and Public Security

The questionnaire is divided into five sections: structuring crime prevention at the governmental level; crime prevention approaches; implementation issues, international cooperation, networking and technical assistance; and concluding questions. In developing the questionnaire, related paragraphs have been grouped for simplicity and clarity.

I. Structuring crime prevention at the government level

The following paragraphs of the Guidelines for the Prevention of Crime refer to government responsibility, leadership and structures to organize and deliver effective crime prevention:

2. It is the responsibility of all levels of government [national, regional and local] *to create, maintain and promote a context within which relevant governmental*

institutions and all segments of civil society, including the corporate sector, can better play their part in preventing crime.

Government leadership

7. All levels of government should play a leadership role in developing effective and humane crime prevention strategies and in creating and maintaining institutional frameworks for their implementation and review.

Cooperation/partnerships

9. Cooperation/partnerships should be an integral part of effective crime prevention, given the wide-ranging nature of the causes of crime and the skills and responsibilities required to address them. This includes partnerships working across ministries and between authorities, community organizations, non-governmental organizations, the business sector and private citizens.

Government structures

17. Governments should include prevention as a permanent part of their structures and programmes for controlling crime, ensuring that clear responsibilities and goals exist within government for the organization of crime prevention, by, inter alia:

(a) Establishing centres or focal points with expertise and resources;

(b) Establishing a crime prevention plan with clear priorities and targets;

(c) Establishing linkages and coordination between relevant government agencies or departments;

(d) Fostering partnerships with non-governmental organizations, the business, private and professional sectors and the community;

(e) Seeking the active participation of the public in crime prevention by informing it of the need for and means of action and its role.

Training and capacity-building

18. Governments should support the development of crime prevention skills by:

(a) Providing professional development for senior officials in relevant agencies;

(b) Encouraging universities, colleges and other relevant educational agencies to offer basic and advanced courses, including in collaboration with practitioners;

(c) Working with the educational and professional sectors to develop certification and professional qualifications;

(d) Promoting the capacity of communities to develop and respond to their needs.

Supporting partnerships

19. Governments and all segments of civil society should support the principle of partnership, where appropriate, including:

(a) Advancing knowledge of the importance of this principle and the components of successful partnerships, including the need for all of the partners to have clear and transparent roles;

(b) Fostering the formation of partnerships at different levels and across sectors;

(c) Facilitating the efficient operation of partnerships.

1. Have government bodies in your country taken steps to implement the approach to crime prevention defined in the Guidelines?

( ) Yes ( ) No

If the answer is "Yes", please describe briefly.

2. In your country, have specific crime prevention policies or strategies been adopted?

(a) At the national level?

( ) Yes ( ) No

If the answer is "Yes", please indicate the title and date of adoption.

Has this policy or strategy been enshrined in legislation?

( ) Yes ( ) No

If the answer is "Yes", please provide the reference and date of adoption.

(b) At the regional level?

( ) Yes ( ) No

(c) At the local level?

( ) Yes ( ) No

If the answer to (b) and/or (c) above is "Yes", please specify.

3. In your country, which government department, ministry or organization at the national level has the responsibility for leadership in crime prevention?

Please specify.

4. In your country, does the organization or framework of crime prevention include:

(a) A centre or focal point at the national level?

( ) Yes ( ) No

If the answer is "Yes", please cite the name and status of the responsible agency or agencies.

(b) Centres or focal points at the regional level?

( ) Yes ( ) No

( ) Not applicable

(c) Establishing crime prevention plans with clear priorities?

(i) At the national level?

( ) Yes ( ) Yes, in part

( ) No

(ii) At the regional level?

( ) Yes ( ) Yes, in part
( ) No ( ) Not applicable

(iii) At the local level?

( ) Yes ( ) Yes, in part
( ) No

(d) Establishing linkages and coordination between relevant government agencies and organizations?

(i) At the national level?

( ) Yes ( ) Yes, in part
( ) No

(ii) At the regional level?

( ) Yes ( ) Yes, in part
( ) No ( ) Not applicable

(e) Fostering partnerships with non-governmental organizations, the business, private and professional sectors and the community?

(i) At the national level?

( ) Yes ( ) Yes, in part
( ) No

(ii) At the regional level?

( ) Yes ( ) Yes, in part
( ) No ( ) Not applicable

(iii) At the local level?

( ) Yes ( ) Yes, in part
( ) No

(f) Seeking the active participation of the general public?

(i) At the national level?

( ) Yes ( ) Yes, in part
( ) No

(ii) At the regional level?

( ) Yes ( ) Yes, in part
( ) No ( ) Not applicable

(iii) At the local level?

( ) Yes ( ) Yes, in part

( ) No

(g) A specific role for the police and other institutions performing similar roles?

( ) Yes ( ) No

If the answer is "Yes", please describe.

5. In your country, do government bodies support the development of crime prevention skills by:

(a) Providing professional development?

( ) Yes ( ) No

(b) Encouraging relevant educational institutions to offer basic and advanced courses?

( ) Yes ( ) No

(c) Working to develop certification and professional qualifications?

( ) Yes ( ) No

(d) Promoting the capacity of communities to develop and respond to their own needs?

( ) Yes ( ) No

II. Crime prevention approaches

Crime prevention as defined in the relevant instruments refers to various approaches generally called social, community-based and situational crime prevention, as well as preventing recidivism.

In respect to social crime prevention, relevant paragraphs of the Guidelines for the Prevention of Crime include:

6. Crime prevention encompasses a wide range of approaches, including those which:

(a) Promote the well-being of people and encourage pro-social behaviour through social, economic, health and educational measures, with a particular emphasis on children and youth, and focus on the risk and protective factors associated with crime and victimization (prevention through social development, or social crime prevention);

Socio-economic development and inclusion

8. Crime prevention considerations should be integrated into all relevant social and economic policies and programmes, including those addressing employment, education, health, housing and urban planning, poverty, social marginalization and exclusion. Particular emphasis should be placed on communities, families, children and youth at risk.

Social development

24. Governments should address the risk factors of crime and victimization by:

(a) Promoting protective factors through comprehensive and non-stigmatizing social and economic development programmes, including health, education, housing and employment;

(b) Promoting activities that redress marginalization and exclusion;

(c) Promoting positive conflict resolution;

(d) Using education and public awareness strategies to foster a culture of lawfulness and tolerance while respecting cultural identities.

6. Is the concept of social crime prevention (as defined in paragraph 6 (a) of the Guidelines for the Prevention of Crime) part of your country's crime prevention policy, strategy or programmes?

( ) Yes ( ) No

7. Do your country's crime prevention policies, strategies or programmes include a specific focus on:

(a) Children and youth at risk of victimization or offending?

( ) Yes ( ) No

If the answer is "Yes", please specify.

(b) Vulnerable groups?

( ) Yes ( ) No

If the answer is "Yes", please specify.

(c) The different needs of men and women?

( ) Yes ( ) No

If the answer is "Yes", please specify.

8. Are crime prevention considerations integrated into relevant social and economic policies and programmes?

( ) Yes ( ) No

If the answer is "Yes", please specify.

9. In your country, do crime prevention policies, strategies or programmes:

(a) Promote protective factors (e.g. staying in school, positive parenting, job training for youth, etc.)?

( ) Yes ( ) No

If the answer is "Yes", please describe briefly.

(b) Promote activities to redress marginalization or exclusion?

( ) Yes ( ) No

If the answer is "Yes", please describe briefly.

(c) Promote positive conflict resolution (e.g. mediation, restorative justice, etc.)?

( ) Yes ( ) No

If the answer is "Yes", please describe briefly.

(d) Use education and public awareness?

( ) Yes ( ) No

If the answer is "Yes", please describe briefly.

(e) Involve the media?

( ) Yes ( ) No

If the answer is "Yes", please describe briefly.

In respect of community or locally based crime prevention, relevant paragraphs of the Guidelines for the Prevention of Crime include:

6. Crime prevention encompasses a wide range of approaches, including those which:

(b) Change the conditions in neighbourhoods that influence offending, victimization and insecurity that results from crime by building on the initiatives, expertise and commitment of community members (locally based crime prevention);

10. Does your country have specific crime prevention policies, strategies or programmes designed to change the conditions that influence offending, victimization and insecurity in neighbourhoods?

( ) Yes ( ) No

If the answer is "Yes", please specify.

11. Does your crime prevention policy or strategy include an integrated approach to address the multiple risk and protective factors in highly vulnerable neighbourhoods or communities?

( ) Yes ( ) No

If the answer is "Yes", please specify.

In respect of situational crime prevention, relevant paragraphs of the Guidelines for the Prevention of Crime include:

6. Crime prevention encompasses a wide range of approaches, including those which:

(c) Prevent the occurrence of crimes by reducing opportunities, increasing risks of being apprehended and minimizing benefits, including through environmental design, and by providing assistance and information to potential and actual victims (situational crime prevention);

Situational prevention

26. Governments and civil society, including, where appropriate, the corporate sector, should support the development of situational crime prevention programmes by, inter alia:

(a) Improved environmental design;

(b) Appropriate methods of surveillance that are sensitive to the right to privacy;

(c) Encouraging the design of consumer goods to make them more resistant to crime;

(d) Target "hardening" without impinging upon the quality of the built environment or limiting free access to public space;

(e) Implementing strategies to prevent repeat victimization.

12. Does your country have specific situational crime prevention policies, strategies or programmes to:

(a) Improve environmental design and management?

( ) Yes ( ) No

If the answer is "Yes", please specify.

(b) Implement appropriate methods of surveillance that are sensitive to privacy?

( ) Yes ( ) No

If the answer is "Yes", please specify.

(c) Promote target hardening without impinging on the quality of the built environment?

( ) Yes ( ) No

If the answer is "Yes", please specify.

(d) Encourage the design of crime-resistant consumer goods?

( ) Yes ( ) No

If the answer is "Yes", please specify.

(e) Implement strategies to prevent repeat victimization?

( ) Yes ( ) No

If the answer is "Yes", please specify.

In respect of the prevention of recidivism, relevant paragraphs of the Guidelines for the Prevention of Crime include:

6. Crime prevention encompasses a wide range of approaches, including those which:

(d) Prevent recidivism by assisting in the social reintegration of offenders and other preventive mechanisms (reintegration programmes).

13. In your country, do you have specific policies, strategies or programmes to prevent recidivism by assisting in the social reintegration of offenders and other preventive mechanisms?

( ) Yes ( ) No

If the answer is "Yes", please specify.

III. Implementation issues

Sustainability and accountability are important principles to ensure the implementation of effective crime prevention programmes and initiatives. The relevant paragraphs of the Guidelines for the Prevention of Crime are:

1. There is clear evidence that well-planned crime prevention strategies not only prevent crime and victimization, but also promote community safety and contribute to the sustainable development of countries. Effective, responsible crime prevention enhances the quality of life of all citizens. It has long-term benefits in terms of reducing the costs associated with the formal criminal justice system, as well as other social costs that result from crime. Crime prevention offers opportunities for a humane and more cost-effective approach to the problems of crime.

Sustainability/accountability

10. Crime prevention requires adequate resources, including funding for structures and activities, in order to be sustained. There should be clear accountability for funding, implementation and evaluation and for the achievement of planned results.

Sustainability

20. Governments and other funding bodies should strive to achieve sustainability of demonstrably effective crime prevention programmes and initiatives through, inter alia:

(a) Reviewing resource allocation to establish and maintain an appropriate balance between crime prevention and the criminal justice and other systems, to be more effective in preventing crime and victimization;

(b) Establishing clear accountability for funding, programming and coordinating crime prevention initiatives;

(c) Encouraging community involvement in sustainability.

14. In your country, what measures have been taken to ensure the sustainability of crime prevention policies, strategies and programmes?

Please describe briefly.

15. In your country, have there been systematic attempts to assess the costs of crime and crime control measures, including crime prevention measures?

( ) Yes ( ) No

If the answer is "Yes", please provide the source of funding and an estimate of the total costs.

In implementing crime prevention, elements of a rigorous process have been identified. The relevant paragraphs of the Guidelines for the Prevention of Crime are:

Knowledge base

11. Crime prevention strategies, policies, programmes and actions should be based on a broad, multidisciplinary foundation of knowledge about crime problems, their multiple causes and promising and proven practices.

21. As appropriate, Governments and/or civil society should facilitate knowledge-based crime prevention by, inter alia:

(a) Providing the information necessary for communities to address crime problems;

(b) Supporting the generation of useful and practically applicable knowledge that is scientifically reliable and valid;

(c) Supporting the organization and synthesis of knowledge and identifying and addressing gaps in the knowledge base;

(d) Sharing that knowledge, as appropriate, among, inter alia, researchers, policymakers, educators, practitioners from other relevant sectors and the wider community;

(e) Applying this knowledge in replicating successful interventions, developing new initiatives and anticipating new crime problems and prevention opportunities;

(f) Establishing data systems to help manage crime prevention more cost-effectively, including by conducting regular surveys of victimization and offending;

(g) Promoting the application of those data in order to reduce repeat victimization, persistent offending and areas with a high level of crime.

Planning intervention

22. Those planning interventions should promote a process that includes:

(a) A systematic analysis of crime problems, their causes, risk factors and consequences, in particular at the local level;

(b) A plan that draws on the most appropriate approach and adapts interventions to the specific local problem and context;

(c) An implementation plan to deliver appropriate interventions that are efficient, effective and sustainable;

(d) Mobilizing entities that are able to tackle causes;

(e) Monitoring and evaluation.

Supporting evaluation

23. Governments, other funding bodies and those involved in programme development and delivery should:

(a) Undertake short- and longer-term evaluation to test rigorously what works, where and why;

(b) Undertake cost-benefit analyses;

(c) Assess the extent to which action results in a reduction in levels of crime and victimization, in the seriousness of crime and in fear of crime;

(d) Systematically asses the outcomes and unintended consequences, both positive and negative, of action, such as a decrease in crime rates or the stigmatization of individuals and/or communities.

16. In your country, is the use of knowledge-based crime prevention strategies, policies or programmes facilitated by:

(a) Supporting the generation and utilization of useful information and data?

( ) Yes ( ) No

If the answer is "Yes", please describe briefly.

(b) Supporting the sharing of useful information and data?

( ) Yes ( ) No

If the answer is "Yes", please describe briefly.

(c) Promoting the application of useful information and data to reduce repeat victimization, persistent offending and high crime areas?

( ) Yes ( ) No

If the answer is "Yes", please describe briefly.

17. In your country, do the crime prevention policies, strategies or programmes promote a planning process that includes:

(a) A systematic analysis of crime problems, their causes and risk factors and consequences, in particular at the local level?

( ) Yes ( ) No

If the answer is "Yes", please describe briefly.

(b) A plan that draws on the most appropriate approaches and adapts interventions to the specific local problems and local context?

( ) Yes ( ) No

If the answer is "Yes", please describe briefly.

(c) An implementation plan to deliver efficient, effective and sustainable interventions?

( ) Yes ( ) No

If the answer is "Yes", please describe briefly.

(d) Mobilizing entities that are able to tackle causes?

( ) Yes ( ) No

If the answer is "Yes", please describe briefly.

(e) Monitoring and evaluation?

( ) Yes ( ) No

If the answer is "Yes", please describe briefly.

18. In your country, do the crime prevention policies, strategies or programmes include:

(a) Undertaking evaluation to test rigorously what works?

( ) Yes ( ) No

If the answer is "Yes", please describe briefly.

(b) Undertaking cost-benefit analyses?

( ) Yes ( ) No

If the answer is "Yes", please describe briefly.

(c) Assessing reduction in crime, victimization and fear of crime?

( ) Yes ( ) No

If the answer is "Yes", please describe briefly.

(d) Assessing outcomes and unintended consequences?

( ) Yes ( ) No

If the answer is "Yes", please describe briefly.

19. Has an evaluation of components or specific activities of your country's national crime prevention policy or strategy been undertaken?

( ) Yes ( ) No

If the answer is "Yes", please describe briefly.

The Guidelines for the Prevention of Crime recognize the links between local and transnational organized crime and the need to prevent organized crime. The relevant paragraphs of the Guidelines are:

Interdependency

13. National crime prevention diagnoses and strategies should, where appropriate, take account of links between local criminal problems and international organized crime.

Prevention of organized crime

27. Governments and civil society should endeavour to analyse and address the links between transnational organized crime and national and local crime problems by, inter alia:

(a) Reducing existing and future opportunities for organized criminal groups to participate in lawful markets with the proceeds of crime, through appropriate legislative, administrative or other measures;

(b) Developing measures to prevent the misuse by organized criminal groups of tender procedures conducted by public authorities and of subsidies and licences granted by public authorities for commercial activity;

(c) Designing crime prevention strategies, where appropriate, to protect socially marginalized groups, especially women and children, who are vulnerable to the action of organized criminal groups, including trafficking in persons and smuggling of migrants.

Links between transnational and local crime

31. Member States should collaborate to analyse and address the links between transnational organized crime and national and local crime problems.

20. In your country, do crime prevention policies, strategies or programmes assess the potential links between local and national crime problems and transnational organized crime?

( ) Yes ( ) No

If the answer is "Yes", please describe briefly.

21. In your country, do the crime prevention policies, strategies or programmes include:

(a) Measures to reduce opportunities for organized criminal groups to participate in lawful markets?

( ) Yes ( ) No

If the answer is "Yes", please describe briefly.

(b) Measures to prevent the misuse of public tender procedures, subsidies and licences?

( ) Yes ( ) No

If the answer is "Yes", please describe briefly.

(c) Measures to protect socially marginalized groups, especially women and children, who are vulnerable to exploitation by organized criminal groups, including preventing trafficking in persons and the smuggling of migrants?

( ) Yes ( ) No

If the answer is "Yes", please describe briefly.

IV. International cooperation, networking and technical assistance

Member States are encouraged to facilitate international cooperation and develop networks for the exchange of practices and knowledge. The relevant paragraphs of the Guidelines for the Prevention of Crime include:

Technical assistance

29. Member States and relevant international funding organizations should provide financial and technical assistance, including capacity-building and training, to developing countries and countries with economies in transition, communities and other relevant organizations for the implementation of effective crime prevention and community safety strategies at the regional, national and local levels. In that context, special attention should be given to research and action on crime prevention through social development.

Networking

30. Member States should strengthen or establish international, regional and national crime prevention networks with a view to exchanging proven and promising practices, identifying elements of their transferability and making such knowledge available to communities throughout the world.

Prioritizing crime prevention

32. The Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat, the United Nations Crime Prevention and Criminal Justice Programme network of affiliated and associated institutes and other relevant United Nations entities should include in their priorities crime prevention as set out in these Guidelines, set up a coordination mechanism and establish a roster of experts to undertake needs assessment and to provide technical advice.

Dissemination

33. Relevant United Nations bodies and other organizations should cooperate to produce crime prevention information in as many languages as possible, using both print and electronic media.

22. Does your country participate in international networks for the exchange of information and knowledge on crime prevention policies, strategies or programmes?

( ) Yes ( ) No

If the answer is "Yes", please specify.

23. What are the main obstacles to your country participating in international networking?

Please describe.

24. Please identify guides, toolkits, compendiums or manuals of crime prevention practices from your country that can be shared with other countries.

25. Does your country need technical assistance in any area of crime prevention?

( ) Yes ( ) No

26. Is your country able to provide technical assistance in any area of crime prevention?

( ) Yes ( ) No

If the answer to questions 25 and/or 26 is "Yes", please mark the appropriate box(es) below:	*Need technical assistance*	*Can provide technical assistance*
(a) Including prevention as a permanent part of government structures (para. 17)		
(b) Government support for the development of crime prevention skills (para. 18)		
(c) Government and civil society support of partnerships (para. 19)		
(d) Social crime prevention (paras. 6 (a), 8 and 24)		
(e) Locally based or neighbourhood crime prevention (para. 6 (b))		
(f) Situational crime prevention (paras. 6 (c) and 26)		
(g) Prevention of recidivism (para. 6 (d))		
(h) Sustainability and accountability of crime prevention (paras. 1, 10 and 20)		
(i) Knowledge-based crime prevention (paras. 11 and 21)		
(j) Planning interventions (para. 22)		
(k) Monitoring and evaluation (para. 23)		
(l) Assessing the links between local crime problems and transnational organized crime (paras. 13, 27 and 31)		
(m) Of the areas identified, is there a priority? If so, please identify.		

V. Concluding questions

27. What are some of the main lessons your country has derived from national experience in implementing crime prevention policies, strategies and programmes?

Please describe.

28. What are the main challenges in your country for delivering effective crime prevention?

Please describe.

Draft resolution II

Implementation of the Programme of Action, 2006-2010, on strengthening the rule of law and the criminal justice systems in Africa

The Economic and Social Council,

Recalling the United Nations Millennium Declaration,[15] in which Heads of State and Government pledged to support the consolidation of democracy in Africa and to assist Africans in their struggle for lasting peace, poverty eradication and sustainable human development,

Recalling also General Assembly resolution 59/159 of 20 December 2004 on strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity,

Recalling further General Assembly resolution 60/1 of 16 September 2005 on the 2005 World Summit Outcome, in particular paragraph 68 on meeting the special needs of Africa,

Recalling its resolution 2004/32 of 21 July 2004 and decision 2005/248 of 22 July 2005 on the implementation of technical assistance projects in Africa by the United Nations Office on Drugs and Crime, in which it requested the Office to organize a special event among interested Member States, relevant agencies and institutes providing technical assistance to Africa, as well as those promoting South-South cooperation,

Recalling also General Assembly resolution 60/175 of 16 December 2005, in which the Assembly took note of the comprehensive Programme of Action, 2006-2010, that emanated from the Round Table for Africa held in Abuja on 5 and 6 September 2005 pursuant to Economic and Social Council decision 2005/248,

Recalling further decision EX.CL/Dec.169 (VI), adopted by the Executive Council of the African Union at its sixth ordinary session and endorsed by the Assembly of Heads of State and Government at its fourth ordinary session, held in Abuja in January 2005,

[15] General Assembly resolution 55/2.

Recognizing the important role of the New Partnership for Africa's Development,[14] the African Peer Review Mechanism and its implementation process,

Welcoming the Paris Declaration on Aid Effectiveness, adopted at the Paris High-level Forum, held from 28 February to 2 March 2005, by the attending ministers of developed and developing countries, together with heads of bilateral and multilateral development institutions,

Welcoming also the adoption by the European Council of the EU Strategy for Africa: towards a Euro-African pact to accelerate Africa's development,[15]

Taking note of the report of the Secretary-General entitled "In larger freedom: towards development, security and human rights for all",[16]

1. *Welcomes* the publication in June 2005 of the study by the United Nations Office on Drugs and Crime entitled *Crime and Development in Africa*;

2. *Welcomes also* the outcome of the Round Table for Africa on Crime and Drugs as Impediments to Security and Development in Africa: Strengthening the Rule of Law, hosted by the Government of Nigeria in Abuja on 5 and 6 September 2005, embodied in the comprehensive Programme of Action, 2006-2010, aimed at strengthening the rule of law and the criminal justice systems in Africa;

3. *Expresses its appreciation* to the Government of Nigeria for hosting the Round Table for Africa, to the Governments of France and the United Kingdom of Great Britain and Northern Ireland and other development partners for their financial and related support for the meeting, as well as to the United Nations Office on Drugs and Crime for organizing the event;

4. *Invites* all African States and regional and subregional institutions to mainstream crime and drug control measures in their national and regional development strategies, to mobilize all national stakeholders and to make every effort to allocate national resources for the implementation of the Programme of Action;

5. *Invites* the Chairman of the Commission on Crime Prevention and Criminal Justice to notify the Commission of the African Union of the need for its member States to endorse the Programme of Action, 2006-2010, to support its implementation and to review regularly the progress made;

6. *Invites* the Commission of the African Union to present the Programme of Action, 2006-2010, to the next Summit of Heads of State and Government of the African Union for its endorsement;

7. *Invites* bilateral and multilateral aid agencies and financial institutions to review as appropriate their funding policies for development assistance and to consider including a crime prevention and criminal justice component in such assistance;

[14] A/57/304, annex.
[15] SEC (2005) 1255.
[16] A/59/2005.

8. *Requests* the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office,[17] to support the implementation of the Programme of Action, 2006-2010, in cooperation with all African States, the African Union and other regional organizations, in particular in the context of the New Partnership for Africa's Development;[18]

9. *Invites* relevant entities of the United Nations system, including the United Nations Development Programme, the World Bank and other international funding agencies, to increase further their interaction with the United Nations Office on Drugs and Crime in supporting the implementation of the Programme of Action, 2006-2010, and to integrate crime prevention and drug control measures into their development programmes;

10. *Invites* Member States to make adequate voluntary contributions for the implementation of the Programme of Action, 2006-2010;

11. *Requests* the Executive Director of the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office,[19] to devote high priority to the implementation of the Programme of Action, 2006-2010, and to present a progress report to the Commission on Crime Prevention and Criminal Justice at its seventeenth session, in 2008.

Draft resolution III

Providing technical assistance for prison reform in Africa and the development of viable alternatives to imprisonment

The Economic and Social Council,

Recalling the Standard Minimum Rules for the Treatment of Prisoners, approved by the Economic and Social Council in its resolutions 663 C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977,[20] the Basic Principles for the Treatment of Prisoners[21] and the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules),[22]

Having regard to the regional efforts in the promotion of basic rights of prisoners, as considered by the Pan-African Conference on Penal and Prison Reform in Africa, held in Ouagadougou from 18 to 20 September 2002, and the Latin American Conference on Penal Reform and Alternatives to Imprisonment, held in

[17] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

[18] A/57/304, annex.

[19] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

[20] *First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Geneva, 22 August-3 September 1955: report prepared by the Secretariat* (United Nations publication, Sales No. 1956.IV.4), annex I.A; and Economic and Social Council resolution 2076 (LXII).

[21] General Assembly resolution 45/111, annex.

[22] General Assembly resolution 45/110, annex.

San José from 6 to 8 November 2002, and pursued by the African Union and the Organization of American States, as well as the Asian Conference on Prison Reform and Alternatives to Imprisonment, held in Dhaka from 12 to 14 December 2002,

Recalling its resolutions 1997/36 of 21 July 1997, on international cooperation for the improvement of prison conditions, in which it took note of the Kampala Declaration on Prison Conditions in Africa, annexed to the resolution; 1998/23 of 28 July 1988, on international cooperation aimed at the reduction of prison overcrowding and the promotion of alternative sentencing, in which it took note of the Kadoma Declaration on Community Service, contained in annex I to that resolution; and 1999/27 of 28 July 1999, on penal reform, in which it took note of the Arusha Declaration on Good Prison Practice, annexed to the resolution,

Recalling also its resolutions 2004/25 of 21 July 2004, on the rule of law and development: strengthening the rule of law and the reform of criminal justice institutions, with emphasis on technical assistance, including in post-conflict reconstruction, and 2005/21 of 22 July 2005, on strengthening the technical cooperation capacity of the United Nations Crime Prevention and Criminal Justice Programme in the area of the rule of law and criminal justice reform,

Recalling in particular its resolution 2004/35 of 21 July 2004, on combating the spread of HIV/AIDS in criminal justice pre-trial and correctional facilities, and deeply concerned at the spread of HIV/AIDS in pre-trial and correctional facilities in Africa and the risks posed to society as a whole, especially in situations of overcrowding in prisons,

Noting the Conference on Legal Aid in Criminal Justice: the Role of Lawyers, Non-Lawyers and Other Service Providers in Africa, held in Lilongwe from 22 to 24 November 2004,

Recalling the commitments undertaken by Member States in the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century[23] to contain the growth and overcrowding of prison populations in pre-trial and correctional facilities by promoting, as appropriate, safe and effective alternatives to incarceration and national and international actions recommended to implement and follow up on the Declaration as contained in the plan of action on prison overcrowding and alternatives to incarceration[24] and in the Bangkok Declaration: Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice[25] to the development and maintenance of fair and efficient criminal justice institutions, including the humane treatment of all those in pre-trial and correctional facilities, in accordance with applicable international standards,

Welcoming the Programme of Action, 2006-2010, on strengthening the rule of law and the criminal justice systems in Africa, adopted by the Round Table for Africa, held in Abuja on 5 and 6 September 2005, in particular the actions on penal reform, alternative and restorative justice, HIV/AIDS in prisons, reduction of the backlog of cases and prison overcrowding and vulnerable groups,

[23] General Assembly resolution 55/59, annex.

[24] General Assembly resolution 56/261, annex, paras. 31-33.

[25] A/CONF.203/18, chap. I, resolution 1.

Taking into account the diverse views concerning imprisonment, especially for prisoners serving short sentences, and the cost of imprisonment to society as a whole,

Recognizing the serious problems posed by prison overcrowding and the potential threat to the rights of prisoners in many Member States, in particular in many African States,

Alarmed at the proportion of prisoners detained for long periods of time without being charged or sentenced and without access to legal advice and assistance in many African countries,

Recognizing that providing for effective alternatives to imprisonment in policy and practice is a viable long-term solution to prison overcrowding,

Recognizing also that community-based alternatives can provide for rehabilitation of offenders in a more efficient and cost-effective manner than imprisonment and that examples of good practices in reducing imprisonment can be found at the African level,

Recognizing further the need to enhance HIV/AIDS prevention efforts in pre-trial and correctional facilities in Africa,

Recognizing the particular needs of women and girls in prisons and children detained with their mothers, as also the needs of persons with mental illness and the physically challenged, and the need for Governments to design specific responses in that regard,

Emphasizing that efforts to ease prison overcrowding require sustained efforts and resources at all levels of the criminal justice system, such as law enforcement institutions, prosecution and legal aid services, judiciary, case and court management and prison management,

Recognizing the impact of the action of civil society organizations in improving prison conditions and in respecting the rights of prisoners,

1. *Notes* the progress made by Member States in meeting the commitments mentioned above and recent efforts to ease prison overcrowding taken by some Member States;

2. *Encourages* Member States implementing criminal justice and prison reforms to promote the participation of civil society organizations in that endeavour and to cooperate with them;

3. *Welcomes* the report of the Secretary-General on the rule of law and development: strengthening the rule of law and the reform of criminal justice institutions, including in post-conflict reconstruction,[26] and the information contained therein with regard to penal reform activities in Member States and in the United Nations Office on Drugs and Crime;

4. *Also welcomes* the report of the Secretary-General on combating the spread of HIV/AIDS in criminal justice pre-trial and correctional facilities;[27]

[26] E/CN.15/2006/3.
[27] E/CN.15/2006/15.

5. *Notes with appreciation* the designation in the 2005 publication entitled *UNAIDS Technical Support Division of Labour* of the United Nations Office on Drugs and Crime as the lead agency among the co-sponsors of the Joint United Nations Programme on HIV/AIDS on matters relating to HIV/AIDS in prisons;

6. *Welcomes* the work of the United Nations Office on Drugs and Crime in providing advisory services and technical assistance to Member States in the area of HIV/AIDS in prisons, in particular the development of the toolkit on HIV/AIDS in prison settings, which offers guidance to senior policymakers, prison managers, prison staff and prison health-care workers, and encourages the Office, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office,[28] to continue its work in that area, in partnership with other members of the Joint United Nations Programme on HIV/AIDS;

7. *Invites* Member States to develop and adopt measures and guidelines, where appropriate and in accordance with national legislation and relevant international instruments, including the international conventions related to drugs, to ensure that the particular challenges of HIV/AIDS in pre-trial and correctional facilities are adequately addressed;

8. *Notes with appreciation* the accomplishments of the United Nations Office on Drugs and Crime in developing tools and manuals on penal reform, in particular the handbooks on alternatives to imprisonment and restorative justice;

9. *Welcomes* the efforts undertaken by the United Nations Office on Drugs and Crime focusing on providing long-term sustainable technical assistance in the area of penal reform to Member States in post-conflict situations, in particular in Africa, in cooperation with the Department of Peacekeeping Operations of the Secretariat, and the increased synergy between the two entities;

10. *Invites* the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office,[29] to develop further tools and training manuals, based on international standards and best practices, in the area of penal reform and alternatives to imprisonment, in particular in the areas of prison management, legal advice and assistance and the special needs in prison of women and children, as well as of persons with mental illness and the physically challenged;

11. *Requests* the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office,[30] in cooperation with relevant partners, to continue to provide advisory services and technical assistance to Member States, upon request, in the area of penal reform, including restorative justice, alternatives to imprisonment, HIV/AIDS in prisons and the special needs of women and girls in prisons;

[28] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

[29] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

[30] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

12. *Also requests* the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office,[31] to develop a programme of technical assistance for Africa in penal reform and provision of alternatives to imprisonment, building on the commitments made at the Round Table for Africa and in its Programme of Action, 2006-2010;

13. *Invites* Member States, international financial institutions and private donors to provide support to the activities above, through voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund or through voluntary contributions in direct support of such activities;

14. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the Commission on Crime Prevention and Criminal Justice at its seventeenth session, in 2008.

Draft resolution IV

Strengthening basic principles of judicial conduct

The Economic and Social Council,

Recalling the Charter of the United Nations, in which Member States affirm, inter alia, their determination to establish conditions under which justice can be maintained to achieve international cooperation in promoting and encouraging respect for human rights and fundamental freedoms without any discrimination,

Recalling also the Universal Declaration of Human Rights, which enshrines in particular the principles of equality before the law, of the presumption of innocence and of the right to a fair and public hearing by a competent, independent and impartial tribunal established by law,

Recalling further the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,[32] which both guarantee the exercise of those rights, and that the International Covenant on Civil and Political Rights further guarantees the right to be tried without undue delay,

Recalling the United Nations Convention against Corruption,[33] which in its article 11 obliges States parties, in accordance with the fundamental principles of their legal systems and without prejudice to judicial independence, to take measures to strengthen integrity and to prevent opportunities for corruption among members of the judiciary, including rules with respect to the conduct of members of the judiciary,

Convinced that corruption of members of the judiciary undermines the rule of law and affects public confidence in the judicial system,

[31] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

[32] General Assembly resolution 2200 A (XXI), annex.

[33] General Assembly resolution 58/4, annex.

Convinced also that the integrity, independence and impartiality of the judiciary are essential prerequisites for the effective protection of human rights and economic development,

Recalling General Assembly resolutions 40/32 of 29 November 1985 and 40/146 of 13 December 1985, in which the Assembly endorsed the Basic Principles on the Independence of the Judiciary, adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Milan from 26 August to 6 September 1985,[34]

Recalling also the recommendations adopted by the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Cairo from 29 April to 8 May 1995,[35] concerning the independence and impartiality of the judiciary and the proper functioning of prosecutorial and legal services in the field of criminal justice,

Recalling further that in 2000 the Centre for International Crime Prevention of the Secretariat invited a group of chief justices of the common law tradition to develop a concept of judicial integrity, consistent with the principle of judicial independence, which would have the potential to have a positive impact on the standard of judicial conduct and to raise the level of public confidence in the rule of law,

Recalling the second meeting of the Judicial Group on Strengthening Judicial Integrity, held in 2001 in Bangalore, India, at which the chief justices recognized the need for universally acceptable standards of judicial integrity and drafted the Bangalore Principles of Judicial Conduct,[36]

Recalling also that the Judicial Group on Strengthening Judicial Integrity thereafter conducted extensive consultations with judiciaries of more than eighty countries of all legal traditions, leading to the endorsement of the Bangalore Principles of Judicial Conduct by various judicial forums, including a Round Table Meeting of Chief Justices, held in The Hague on 25 and 26 November 2002, which was attended by senior judges of the civil law tradition as well as judges of the International Court of Justice,

Recalling further Commission on Human Rights resolution 2003/43, on the independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers, in which the Commission took note of the Bangalore Principles of Judicial Conduct and brought those principles to the attention of Member States, relevant United Nations organs and intergovernmental and non-governmental organizations for their consideration,

Recalling Commission on Human Rights resolution 2003/39 on the integrity of the judicial system, in which the Commission emphasized the integrity of the judicial system as an essential prerequisite for the protection of human rights and for ensuring that there was no discrimination in the administration of justice,

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[34] See *Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat* (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. D.2, annex.

[35] See A/CONF.169/16/Rev.1, chap. I, resolution 1, sect. III.

[36] E/CN.4/2003/65, annex.

1. *Invites* Member States, consistent with their domestic legal systems, to encourage their judiciaries to take into consideration the Bangalore Principles of Judicial Conduct, annexed to the present resolution, when reviewing or developing rules with respect to the professional and ethical conduct of members of the judiciary;

2. *Emphasizes* that the Bangalore Principles of Judicial Conduct represent a further development and are complementary to the Basic Principles on the Independence of the Judiciary, endorsed by the General Assembly in its resolutions 40/32 and 40/146;

3. *Acknowledges* the important work carried out by the Judicial Group on Strengthening Judicial Integrity under the auspices of the United Nations Office on Drugs and Crime, as well as other international and regional judicial forums that contribute to the development and dissemination of standards and measures to strengthen judicial independence, impartiality and integrity;

4. *Requests* the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office[17] and in particular through its Global Programme against Corruption, to continue to support the work of the Judicial Group on Strengthening Judicial Integrity;

5. *Expresses appreciation* to Member States that have made voluntary contributions to the United Nations Office on Drugs and Crime in support of the work of the Judicial Group on Strengthening Judicial Integrity;

6. *Invites* Member States to make voluntary contributions, as appropriate, to the United Nations Crime Prevention and Criminal Justice Fund to support the Judicial Group on Strengthening Judicial Integrity, and to continue to provide, through the Global Programme against Corruption, technical assistance to developing countries and countries with economies in transition, upon request, to strengthen the integrity and capacity of their judiciaries;

7. *Also invites* Member States to submit to the Secretary-General their views regarding the Bangalore Principles of Judicial Conduct and to suggest revisions, as appropriate;

8. *Requests* the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office,[18] to convene an open-ended intergovernmental expert group, in cooperation with the Judicial Group on Strengthening Judicial Integrity and other international and regional judicial forums, to develop a technical guide to be used in providing technical assistance aimed at strengthening judicial integrity and capacity, as well as a commentary on the Bangalore Principles of Judicial Conduct, taking into account the views expressed and the revisions suggested by Member States;

[17] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

[18] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

9. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its sixteenth session on the implementation of the present resolution.

Annex

Bangalore Principles of Judicial Conduct

WHEREAS the Universal Declaration of Human Rights recognizes as fundamental the principle that everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of rights and obligations and of any criminal charge,

WHEREAS the International Covenant on Civil and Political Rights[39] guarantees that all persons shall be equal before the courts and that in the determination of any criminal charge or of rights and obligations in a suit at law, everyone shall be entitled, without undue delay, to a fair and public hearing by a competent, independent and impartial tribunal established by law,

WHEREAS the foregoing fundamental principles and rights are also recognized or reflected in regional human rights instruments, in domestic constitutional, statutory and common law, and in judicial conventions and traditions,

WHEREAS the importance of a competent, independent and impartial judiciary to the protection of human rights is given emphasis by the fact that the implementation of all the other rights ultimately depends upon the proper administration of justice,

WHEREAS a competent, independent and impartial judiciary is likewise essential if the courts are to fulfil their role in upholding constitutionalism and the rule of law,

WHEREAS public confidence in the judicial system and in the moral authority and integrity of the judiciary is of the utmost importance in a modern democratic society,

WHEREAS it is essential that judges, individually and collectively, respect and honour judicial office as a public trust and strive to enhance and maintain confidence in the judicial system,

WHEREAS the primary responsibility for the promotion and maintenance of high standards of judicial conduct lies with the judiciary in each country,

AND WHEREAS the Basic Principles on the Independence of the Judiciary[40] are designed to secure and promote the independence of the judiciary and are addressed primarily to States,

THE FOLLOWING PRINCIPLES are intended to establish standards for ethical conduct of judges. They are designed to provide guidance to judges and to

[39] General Assembly resolution 2200 A (XXI), annex.

[40] See *Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat* (United Nations publication, Sales No. E.86.IV.1), chap. 1, sect. D.2, annex.

afford the judiciary a framework for regulating judicial conduct. They are also intended to assist members of the executive and the legislature, and lawyers and the public in general, to better understand and support the judiciary. These principles presuppose that judges are accountable for their conduct to appropriate institutions established to maintain judicial standards, which are themselves independent and impartial, and are intended to supplement and not to derogate from existing rules of law and conduct that bind the judge.

Value 1
Independence

Principle

Judicial independence is a prerequisite to the rule of law and a fundamental guarantee of a fair trial. A judge shall therefore uphold and exemplify judicial independence in both its individual and institutional aspects.

Application

1.1. A judge shall exercise the judicial function independently on the basis of the judge's assessment of the facts and in accordance with a conscientious understanding of the law, free of any extraneous influences, inducements, pressures, threats or interference, direct or indirect, from any quarter or for any reason.

1.2. A judge shall be independent in relation to society in general and in relation to the particular parties to a dispute that the judge has to adjudicate.

1.3. A judge shall not only be free from inappropriate connections with, and influence by, the executive and legislative branches of government, but must also appear to a reasonable observer to be free therefrom.

1.4. In performing judicial duties, a judge shall be independent of judicial colleagues in respect of decisions that the judge is obliged to make independently.

1.5. A judge shall encourage and uphold safeguards for the discharge of judicial duties in order to maintain and enhance the institutional and operational independence of the judiciary.

1.6. A judge shall exhibit and promote high standards of judicial conduct in order to reinforce public confidence in the judiciary, which is fundamental to the maintenance of judicial independence.

Value 2
Impartiality

Principle

Impartiality is essential to the proper discharge of the judicial office. It applies not only to the decision itself but also to the process by which the decision is made.

Application

2.1. A judge shall perform his or her judicial duties without favour, bias or prejudice.

2.2. A judge shall ensure that his or her conduct, both in and out of court, maintains and enhances the confidence of the public, the legal profession and litigants in the impartiality of the judge and of the judiciary.

2.3 A judge shall, as far as is reasonable, so conduct himself or herself as to minimize the occasions on which it will be necessary for the judge to be disqualified from hearing or deciding cases.

2.4 A judge shall not knowingly, while a proceeding is before, or could come before, the judge, make any comment that might reasonably be expected to affect the outcome of such proceeding or impair the manifest fairness of the process, nor shall the judge make any comment in public or otherwise that might affect the fair trial of any person or issue.

2.5 A judge shall disqualify himself or herself from participating in any proceedings in which the judge is unable to decide the matter impartially or in which it may appear to a reasonable observer that the judge is unable to decide the matter impartially. Such proceedings include, but are not limited to, instances where:

(a) The judge has actual bias or prejudice concerning a party or personal knowledge of disputed evidentiary facts concerning the proceedings;

(b) The judge previously served as a lawyer or was a material witness in the matter in controversy; or

(c) The judge, or a member of the judge's family, has an economic interest in the outcome of the matter in controversy;

provided that disqualification of a judge shall not be required if no other tribunal can be constituted to deal with the case or, because of urgent circumstances, failure to act could lead to a serious miscarriage of justice.

Value 3
Integrity

Principle

Integrity is essential to the proper discharge of the judicial office.

Application

3.1 A judge shall ensure that his or her conduct is above reproach in the view of a reasonable observer.

3.2 The behaviour and conduct of a judge must reaffirm the people's faith in the integrity of the judiciary. Justice must not merely be done but must also be seen to be done.

Value 4
Propriety

Principle

Propriety, and the appearance of propriety, are essential to the performance of all of the activities of a judge.

Application

4.1 A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities.

4.2. As a subject of constant public scrutiny, a judge must accept personal restrictions that might be viewed as burdensome by the ordinary citizen and should do so freely and willingly. In particular, a judge shall conduct himself or herself in a way that is consistent with the dignity of the judicial office.

4.3. A judge shall, in his or her personal relations with individual members of the legal profession who practise regularly in the judge's court, avoid situations that might reasonably give rise to the suspicion or appearance of favouritism or partiality.

4.4. A judge shall not participate in the determination of a case in which any member of the judge's family represents a litigant or is associated in any manner with the case.

4.5. A judge shall not allow the use of the judge's residence by a member of the legal profession to receive clients or other members of the legal profession.

4.6. A judge, like any other citizen, is entitled to freedom of expression, belief, association and assembly, but, in exercising such rights, a judge shall always conduct himself or herself in such a manner as to preserve the dignity of the judicial office and the impartiality and independence of the judiciary.

4.7. A judge shall inform himself or herself about the judge's personal and fiduciary financial interests and shall make reasonable efforts to be informed about the financial interests of members of the judge's family.

4.8. A judge shall not allow the judge's family, social or other relationships improperly to influence the judge's judicial conduct and judgement as a judge.

4.9. A judge shall not use or lend the prestige of the judicial office to advance the private interests of the judge, a member of the judge's family or of anyone else, nor shall a judge convey or permit others to convey the impression that anyone is in a special position improperly to influence the judge in the performance of judicial duties.

4.10. Confidential information acquired by a judge in the judge's judicial capacity shall not be used or disclosed by the judge for any other purpose not related to the judge's judicial duties.

4.11. Subject to the proper performance of judicial duties, a judge may:

(a) Write, lecture, teach and participate in activities concerning the law, the legal system, the administration of justice or related matters;

(b) Appear at a public hearing before an official body concerned with matters relating to the law, the legal system, the administration of justice or related matters;

(c) Serve as a member of an official body, or other government commission, committee or advisory body, if such membership is not inconsistent with the perceived impartiality and political neutrality of a judge; or

(d) Engage in other activities if such activities do not detract from the dignity of the judicial office or otherwise interfere with the performance of judicial duties.

4.12. A judge shall not practise law while the holder of judicial office.

4.13 A judge may form or join associations of judges or participate in other organizations representing the interests of judges.

4.14 A judge and members of the judge's family shall neither ask for, nor accept, any gift, bequest, loan or favour in relation to anything done or to be done or omitted to be done by the judge in connection with the performance of judicial duties.

4.15 A judge shall not knowingly permit court staff or others subject to the judge's influence, direction or authority to ask for, or accept, any gift, bequest, loan or favour in relation to anything done or to be done or omitted to be done in connection with his or her duties or functions.

4.16 Subject to law and to any legal requirements of public disclosure, a judge may receive a token gift, award or benefit as appropriate to the occasion on which it is made provided that such gift, award or benefit might not reasonably be perceived as intended to influence the judge in the performance of judicial duties or otherwise give rise to an appearance of partiality.

Value 5
Equality

Principle

Ensuring equality of treatment to all before the courts is essential to the due performance of the judicial office.

Application

5.1 A judge shall be aware of, and understand, diversity in society and differences arising from various sources, including but not limited to race, colour, sex, religion, national origin, caste, disability, age, marital status, sexual orientation, social and economic status and other like causes ("irrelevant grounds").

5.2 A judge shall not, in the performance of judicial duties, by words or conduct, manifest bias or prejudice towards any person or group on irrelevant grounds.

5.3 A judge shall carry out judicial duties with appropriate consideration for all persons, such as the parties, witnesses, lawyers, court staff and judicial colleagues, without differentiation on any irrelevant ground, immaterial to the proper performance of such duties.

5.4 A judge shall not knowingly permit court staff or others subject to the judge's influence, direction or control to differentiate between persons concerned, in a matter before the judge, on any irrelevant ground.

5.5 A judge shall require lawyers in proceedings before the court to refrain from manifesting, by words or conduct, bias or prejudice based on irrelevant grounds, except such as are legally relevant to an issue in proceedings and may be the subject of legitimate advocacy.

Value 6
Competence and diligence

Principle

Competence and diligence are prerequisites to the due performance of judicial office.

Application

6.1. The judicial duties of a judge take precedence over all other activities.

6.2. A judge shall devote the judge's professional activity to judicial duties, which include not only the performance of judicial functions and responsibilities in court and the making of decisions, but also other tasks relevant to the judicial office or the court's operations.

6.3. A judge shall take reasonable steps to maintain and enhance the judge's knowledge, skills and personal qualities necessary for the proper performance of judicial duties, taking advantage for that purpose of the training and other facilities that should be made available, under judicial control, to judges.

6.4. A judge shall keep himself or herself informed about relevant developments of international law, including international conventions and other instruments establishing human rights norms.

6.5. A judge shall perform all judicial duties, including the delivery of reserved decisions, efficiently, fairly and with reasonable promptness.

6.6. A judge shall maintain order and decorum in all proceedings before the court and be patient, dignified and courteous in relation to litigants, jurors, witnesses, lawyers and others with whom the judge deals in an official capacity. The judge shall require similar conduct of legal representatives, court staff and others subject to the judge's influence, direction or control.

6.7. A judge shall not engage in conduct incompatible with the diligent discharge of judicial duties.

Implementation

By reason of the nature of judicial office, effective measures shall be adopted by national judiciaries to provide mechanisms to implement these principles if such mechanisms are not already in existence in their jurisdictions.

Definitions

In this statement of principles, unless the context otherwise permits or requires, the following meanings shall be attributed to the words used:

"Court staff" includes the personal staff of the judge, including law clerks;

"Judge" means any person exercising judicial power, however designated;

"Judge's family" includes a judge's spouse, son, daughter, son-in-law, daughter-in-law and any other close relative or person who is a companion or employee of the judge and who lives in the judge's household;

"Judge's spouse" includes a domestic partner of the judge or any other person of either sex in a close personal relationship with the judge.

Draft resolution V

International cooperation in the fight against corruption

The Economic and Social Council,

Reiterating its deep concern about the impact of corruption on the political, social and economic stability and development of societies,

Convinced that a comprehensive and multidisciplinary approach is required to prevent and combat corruption effectively and recognizing the need for closer coordination and cooperation among States and other relevant entities in this regard,

Recalling General Assembly resolution 58/4 of 31 October 2003, in which the Assembly adopted the United Nations Convention against Corruption, and reaffirming that the Convention constitutes a significant development in international law and an important instrument for effective and multidimensional international cooperation against corruption,

Recalling also that, in the 2005 World Summit Outcome document,[41] Heads of State and Government urged all States that had not yet done so to consider becoming parties to the relevant international conventions on organized crime and corruption and, following their entry into force, to implement them effectively, including by incorporating the provisions of those conventions into national legislation and by strengthening criminal justice systems,

Recalling further General Assembly resolution 60/207 of 22 December 2005, on preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption,

Welcoming the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice,[42] adopted at the high-level segment of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, held in Bangkok from 18 to 25 April 2005, in which Member States stated that the proper management of public affairs and public property and the rule of law were essential to the prevention and control of corruption, and recognized that, in order to curb corruption, it was necessary to promote a culture of integrity and accountability in both the public and the private sector,

Welcoming also the Programme of Action, 2006-2010, for Africa, adopted by the Round Table for Africa, held in Abuja on 5 and 6 September 2005, in which the need to prevent and combat corruption in Africa is highlighted,

Recalling its resolution 2005/18 of 22 July 2005, on action against corruption: assistance to States in capacity-building with a view to facilitating the entry into force and subsequent implementation of the United Nations Convention against Corruption,

Noting the regional conventions on corruption and the work already done by regional organizations on this issue,

[41] See General Assembly resolution 60/1.

[42] A/CONF.203/18, chap. I, resolution 1.

1. *Takes note with appreciation* of the report of the Secretary-General on the United Nations Convention against Corruption;[43]

2. *Welcomes* the entry into force on 14 December 2005 of the United Nations Convention against Corruption,[44] and urges Member States from all regions of the world and relevant economic integration organizations that have not yet done so to consider ratifying or acceding to the Convention as soon as possible in order to facilitate its effective implementation;

3. *Looks forward* to the first session of the Conference of the States Parties to the United Nations Convention against Corruption, to be held in December 2006, and, taking into account article 63 of the Convention, urges Member States to contribute to the successful outcome of the Conference;

4. *Calls upon* all Member States to hold intensive consultations and make proposals for the preparation of the Conference of the States Parties to the United Nations Convention against Corruption, including by open-ended consultations facilitated by the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office,[45] and without prejudice to the mandate and work of the Conference of the States Parties;

5. *Stresses* the value of participation at the Conference of the States Parties to the United Nations Convention against Corruption of experts on specific aspects of the Convention, including representatives of preventive anti-corruption bodies, and encourages Member States to facilitate the participation of such experts at the Conference of the States Parties;

6. *Commends* the United Nations Office on Drugs and Crime for its work in promoting the ratification of the United Nations Convention against Corruption, and looks forward to the finalization and dissemination of the legislative guide designed to facilitate the ratification and subsequent implementation of the Convention;

7. *Requests* the United Nations Office on Drugs and Crime, building on the experience gained in the preparation of the legislative guide and work done by others, including by the members of the International Group for Anti-Corruption Coordination, to continue its collaboration with the United Nations Interregional Crime and Justice Research Institute in its ongoing efforts to prepare a technical guide aimed specifically at supporting practitioners in the implementation of the Convention;

8. *Urges* all Member States, consistent with the United Nations Convention against Corruption, to abide by the principles of proper management of public affairs and public property, fairness, responsibility and equality before the law and the need to safeguard integrity and to foster a culture of transparency, accountability and the rejection of corruption;

9. *Notes with appreciation* the financial support provided by several donors to facilitate capacity-building in the fight against corruption, and encourages

[43] E/CN.15/2006/9.

[44] General Assembly resolution 58/4, annex.

[45] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

Member States to continue to make voluntary contributions to promote the implementation of the United Nations Convention against Corruption, through the United Nations Crime Prevention and Criminal Justice Fund or in direct support of such activities and initiatives;

10. *Requests* the Secretary-General to continue to provide the United Nations Office on Drugs and Crime with the resources necessary to enable it to promote, in an effective manner, the implementation of the United Nations Convention against Corruption and to discharge its functions as the secretariat of the Conference of the States Parties in accordance with its mandate;

11. *Requests* the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office,[46] and in particular through its Global Programme against Corruption, to continue to assist States, upon request, with sustainable capacity-building focused on the promotion of the implementation of the United Nations Convention against Corruption;

12. *Welcomes* the efforts made by the United Nations Office on Drugs and Crime to cooperate with others, within its mandate, in the field of preventing and combating corruption, and encourages the Office to increase further such cooperation;

13. *Invites* relevant entities of the United Nations system and international financial institutions and regional and national funding agencies to increase their support to and their interaction with the United Nations Office on Drugs and Crime in order to benefit from synergies and avoid duplication of effort and to ensure that, as appropriate, activities aimed at preventing and combating corruption are considered in their sustainable development agenda and that the expertise of the Office is fully utilized;

14. *Expresses its appreciation* to individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, for their active participation in the prevention of and the fight against corruption;

15. *Calls for* international cooperation to prevent and combat corrupt practices and the transfer of assets of illicit origin, as well as for asset recovery consistent with the principles of the United Nations Convention against Corruption, in particular its chapter V;

16. *Encourages* Member States to consider utilizing the public awareness materials offered by the United Nations Office on Drugs and Crime and to engage in special activities, including, if appropriate, with relevant sectors of civil society, in particular on International Anti-Corruption Day, on 9 December, in order to focus on the problem of corruption;

17. *Requests* the Secretary-General, if the Conference of the States Parties to the United Nations Convention against Corruption so decides, to make available to the Commission on Crime Prevention and Criminal Justice, for its information, the reports of the Conference.

[46] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

18. *Also requests* the Secretary-General to report on the implementation of the present resolution to the Commission on Crime Prevention and Criminal Justice at its sixteenth session and thereafter to share its report with the Conference of the States Parties to the United Nations Convention against Corruption.

Draft resolution VI

Strengthening the rule of law and the reform of criminal justice institutions, including in post-conflict reconstruction

The Economic and Social Council,

Recalling the recommitment made by Heads of State and Government in the 2005 World Summit Outcome document,[47]

Recalling also General Assembly resolution 60/159 of 16 December 2005 on human rights in the administration of justice,

Welcoming the emphasis on the rule of law in the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice,[48] adopted at the high-level segment of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, held in Bangkok from 18 to 25 April 2005, in which Member States recognized the importance of upholding the rule of law and good governance and, as appropriate, the importance of further developing restorative justice policies, procedures and programmes, and expressed their commitment to the development and maintenance of fair and efficient criminal justice institutions, including the humane treatment of all those in pre-trial and correctional facilities, in accordance with applicable international standards,

Recognizing the system-wide efforts within the United Nations towards strengthening activities to promote the rule of law, including the establishment of the Peacebuilding Commission, the planned establishment of a rule of law assistance unit and the work of the Rule of Law Focal Point Network,

Recalling its resolution 2004/25 of 21 July 2004 on the rule of law and development: strengthening the rule of law and the reform of criminal justice institutions, with emphasis on technical assistance, including in post-conflict reconstruction,

Recalling also its resolution 2005/21 of 22 July 2005 on strengthening the technical cooperation capacity of the United Nations Crime Prevention and Criminal Justice Programme in the area of the rule of law and criminal justice reform, in which it recognized that effective criminal justice systems could only be developed based on the rule of law and that the rule of law itself required the protection of effective criminal justice measures,

Recalling further all relevant resolutions of the Commission on Human Rights, including its resolution 2004/43, on human rights in the administration of justice, in particular juvenile justice, in which the Commission stressed the special need for national capacity-building in the field of the administration of justice, in particular

[47] See General Assembly resolution 60/1.

[48] A/CONF.203/18, chap. I, resolution 1.

to establish and maintain stable societies and the rule of law in post-conflict situations, through reform of the judiciary, the police and the penal system, as well as juvenile justice reform,

Bearing in mind the need to establish and strengthen the rule of law as an essential element of reconstruction efforts, in order to support the emergence of stable social, political and economic structures and to protect human rights in the administration of justice,

Acknowledging that United Nations standards and norms in crime prevention and criminal justice are important tools for establishing fair and effective criminal justice systems enshrined in the rule of law and that their use and application in the provision of technical assistance should be enhanced, as appropriate,

Mindful of the importance of ensuring respect for the rule of law and human rights in the administration of justice, in particular in post-conflict situations, as a crucial contribution to building peace and justice and ending impunity,

Noting with appreciation the work on juvenile justice and the cooperation through the United Nations Coordination Panel on Technical Advice and Assistance in Juvenile Justice to develop common indicators, tools and manuals, to share information and to pool capacities and interests in order to increase the effectiveness of programme implementation, and taking note of the publication entitled "Protecting the rights of children in conflict with the law",

Welcoming the efforts by some Member States to provide assistance to countries in the areas of the rule of law and criminal justice institutions through bilateral or multilateral channels,

1. *Takes note* of the report of the Secretary-General on the rule of law and development: strengthening the rule of law and the reform of criminal justice institutions, including in post-conflict reconstruction;[49]

2. *Notes* the progress made by the United Nations Office on Drugs and Crime in the development of a comprehensive set of assessment tools for criminal justice, in cooperation with the Department of Peacekeeping Operations of the Secretariat and other relevant entities, and encourages the Office, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office,[50] to continue to develop tools and training manuals on criminal justice reform, where appropriate, in cooperation with others, and to disseminate them widely;

3. *Encourages* the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office,[51] while recognizing the importance of avoiding duplication between and ensuring proper coordination with relevant United Nations entities, to further develop its comprehensive programme in strengthening the rule of law and the reform of criminal justice institutions with a continued focus on

[49] E/CN.15/2006/3.

[50] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

[51] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

vulnerable groups, such as women and children, countries with economies in transition and countries in post-conflict situations and the need for capacity-building at the field office level, and to develop innovative approaches and partnerships in that area;

4. *Also encourages* the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office,[5] to continue to provide long-term sustainable technical assistance in the area of criminal justice reform to Member States in post-conflict situations, in cooperation with the Department of Peacekeeping Operations and other relevant entities, and to increase synergies between the involved agencies;

5. *Invites* the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office,[5] to provide its expertise, where appropriate and upon request, to the Peacebuilding Commission, the rule of law assistance unit in the ongoing work of the Rule of Law Focal Point Network and other relevant entities;

6. *Invites* Member States to provide resources to the United Nations Office on Drugs and Crime in order for it to continue to provide assistance, upon request, to Member States in long-term sustainable criminal justice reform and also to make use of technical assistance offered in that area by the Office and other United Nations entities;

7. *Invites* relevant entities of the United Nations system, including the World Bank, as well as organizations such as the Organization for Security and Cooperation in Europe, to increase their cooperation and coordination with the United Nations entities concerned with supporting the rule of law, including the United Nations Office on Drugs and Crime, in order to promote a more integrated approach to the provision of assistance for building capacity in the area of the rule of law and criminal justice reform and to further explore joint projects in that area;

8. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its seventeenth session, in 2008, on the implementation of the present resolution.

Draft resolution VII

Follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice

The Economic and Social Council,

Emphasizing the responsibility assumed by the United Nations in the field of crime prevention and criminal justice in pursuance of Economic and Social Council resolution 155 C (VII) of 13 August 1948 and General Assembly resolution 415 (V) of 1 December 1950,

[5] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

[5] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

Acknowledging that the United Nations congresses on crime prevention and criminal justice, as major intergovernmental forums, have influenced national policies and practices and promoted international cooperation in that field by facilitating the exchange of views and experience, mobilizing public opinion and recommending policy options at the national, regional and international levels,

Noting General Assembly resolution 56/201 of 21 December 2001, on the triennial policy review of operational activities for development of the United Nations system, and Economic and Social Council resolution 2003/3 of 11 July 2003, on the progress in the implementation of Assembly resolution 56/201, in which the Council recommended that all organizations of the United Nations development system consider lessons learned and their dissemination as a specific required component of their activities, and emphasized the importance of evaluation of operational activities of the United Nations system in order to enhance their effectiveness and impact, and called upon the Secretary-General to integrate a stronger focus on lessons learned, results and outcome into future reports,

Recalling General Assembly resolution 57/270 B of 23 June 2003, in which the Assembly emphasized that the United Nations system had an important responsibility to assist Governments to stay fully engaged in the follow-up to and implementation of agreements and commitments reached at the major United Nations conferences and summits,

Recalling also General Assembly resolution 59/151 of 20 December 2004, in which the Assembly requested the Secretary-General to ensure proper follow-up to the resolution and to report thereon, through the Commission on Crime Prevention and Criminal Justice, to it at its sixtieth session,

Recalling further General Assembly resolution 60/177 of 16 December 2005, in which the Assembly endorsed the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice,[54] adopted at the high-level segment of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice and approved by the Commission on Crime Prevention and Criminal Justice at its fourteenth session and subsequently by the Economic and Social Council in its resolution 2005/15 of 22 July 2005,

Bearing in mind General Assembly resolution 60/175 of 16 December 2005, on strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity, and the role of the United Nations Office on Drugs and Crime in the implementation of the measures outlined in the Bangkok Declaration,

Bearing in mind also the United Nations Millennium Declaration,[55] adopted by the Heads of State and Government at the Millennium Summit of the United Nations on 8 September 2000, in which Heads of State and Government resolved to strengthen respect for the rule of law in international as well as in national affairs, to make the United Nations more effective in maintaining peace and security by giving it the resources and tools it needed for conflict prevention, peaceful resolution of disputes, peacekeeping, post-conflict peacebuilding and reconstruction, to take concerted action against international terrorism and accede as soon as possible to all

[54] A/C.ONF.203/18, chap. I, resolution 1.

[55] General Assembly resolution 55/2.

the relevant international conventions, to redouble their efforts to implement their commitment to counter the world drug problem and to intensify their collective efforts to fight transnational crime in all its dimensions, including trafficking as well as smuggling in human beings and money-laundering,

Bearing in mind further General Assembly resolution 60/1 of 16 September 2005, by which the Assembly adopted the 2005 World Summit Outcome,

Recognizing that capturing lessons learned can be a valuable management tool for future planning and programmes and provide feedback to effect future improvement, and helps develop effective and informed policies,

1. *Takes note* of the report of the Secretary-General on the follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice;[56]

2. *Reiterates its invitation* to Governments to implement the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice[57] and the recommendations adopted by the Eleventh Congress in formulating legislation and policy directives and taking all other relevant measures, taking into account the economic, social, legal and cultural specificities of their respective States;

3. *Invites* Member States, in a spirit of common and shared responsibility, as acknowledged in the Bangkok Declaration, to improve international cooperation in the fight against crime and terrorism, at the multilateral, regional and bilateral levels, in areas including extradition and mutual legal assistance within the framework of existing relevant legal instruments;

4. *Requests* the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office,[58] to convene an intergovernmental group of experts with equitable geographical representation to discuss the Eleventh Congress and previous congresses in order to accumulate and consider lessons learned from prior congresses with a view to developing a methodology for capturing lessons learned for future congresses, and to submit a report of its work to the Commission on Crime Prevention and Criminal Justice at its sixteenth session for its consideration;

5. *Welcomes* the offer of the Government of Thailand to act as host to the intergovernmental group of experts;

6. *Reiterates its request* to the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office,[59] to engage in consultations with the Governments that have offered to host the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, to be held in 2010, and to report thereon to the Commission on Crime Prevention and Criminal Justice at its sixteenth session.

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[56] E/CN.15/2006/7.

[57] A/CONF.203/18, chap. I, resolution 1.

[58] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

[59] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

Draft resolution VIII

Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking

The Economic and Social Council,

Recalling the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power,[60]

Taking note of guideline 8, Special measures for the protection and support of child victims of trafficking, contained in the report of the United Nations High Commissioner for Human Rights,[61]

Recalling the Convention on the Rights of the Child,[62] and noting the entry into force of the Optional Protocol to that Convention on the sale of children, child prostitution and child pornography,[63]

Recalling also the International Labour Organization Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182), which prohibits forced or obligatory labour of all people under the age of 18,

Recalling further paragraphs 4 and 13 of the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice,[64] adopted at the high-level segment of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, held in Bangkok from 18 to 25 April 2005,

Recalling the United Nations Convention against Transnational Organized Crime[65] and, in particular, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing that Convention,[66]

Recalling also General Assembly resolution 58/137 of 22 December 2003, on strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking,

Recalling further the note by the United Nations System Chief Executives Board for Coordination on joint action to curb transnational crime,[67]

Condemning trafficking in persons as an abhorrent form of modern-day slavery and as an act that is contrary to universal human rights,

Decrying the treatment of human beings as commodities to be bartered, bought or sold by traffickers, in particular exploiters,

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[60] General Assembly resolution 40/34, annex.
[61] See E/2002/68/Add.1.
[62] General Assembly resolution 44/25, annex.
[63] General Assembly resolution 54/263, annex II.
[64] A/CONF.203/18, chap. I, resolution 1.
[65] General Assembly resolution 55/25, annex I.
[66] General Assembly resolution 55/25, annex II.
[67] CEB/2005/HLCP/IX/CRP.7, annex A.

Deeply concerned at the worldwide occurrence of trafficking in persons for the purpose of exploitation of all kinds by transnational organized criminal groups, many of which are also involved in other forms of illegal activity, including trafficking in firearms, money-laundering, drug trafficking and corruption,

Profoundly alarmed by the fact that trafficking in persons is a growing and profitable trade in most parts of the world, aggravated by, inter alia, poverty, armed conflict, inadequate social and economic conditions and demand in the illicit labour and sex markets,

Expressing distress at the ability of criminal networks to avoid punishment while preying on the vulnerabilities of their victims,

Noting the distinctions and interlinkages between the two criminal behaviours of trafficking in persons, as set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and of smuggling of migrants, as set forth in the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,[58]

Convinced of the urgent need for broad and concerted international cooperation among all Member States, especially among related countries of origin, transit and destination, employing a multidisciplinary, balanced and global approach, including adequate technical assistance, in order to prevent and combat trafficking in persons,

Recognizing that broad international cooperation between Member States, especially among related countries of origin, transit and destination, and relevant intergovernmental and non-governmental organizations and other members of civil society is essential to counter effectively the threat of trafficking in persons,

Convinced that civil society, including non-governmental organizations, can play a role in raising awareness, in reducing existing and future opportunities for victimization in the field of trafficking and in assisting Governments in promoting the protection of victims through comprehensive and non-stigmatizing social and appropriate economic assistance to victims, including in the areas of health, education, housing and employment,

Welcoming efforts of Member States, in particular countries of origin, transit and destination, to raise awareness of the seriousness of the crime of trafficking and of its various forms, as well as of the role of the public in preventing victimization and assisting victims of trafficking,

Bearing in mind the establishment of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime in accordance with article 32 of the Convention, which has now taken up its work in that area,

Noting the thematic discussion on trafficking in human beings, especially women and children, held by the Commission on Crime Prevention and Criminal Justice at its twelfth session,[59] and the panel discussion on human trafficking held

[58] General Assembly resolution 55/25, annex III.

[59] *Official Records of the Economic and Social Council, 2003, Supplement No. 10* (E/2003/30), chap. II.

by the Human Security Network on 17 October 2005 as a side event during the second session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime,

1. *Urges* Member States that have not done so to consider taking measures to ratify or accede to the United Nations Convention against Transnational Organized Crime,[70] the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing that Convention,[71] and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;[72]

2. *Urges* all Member States:

(a) To criminalize trafficking in persons;

(b) To promote cooperation among law enforcement authorities in combating trafficking in persons;

(c) To ensure the security and control of travel or identity documents;

(d) To establish the offence of trafficking in persons as a predicate offence for money-laundering offences;

3. *Invites* Member States to adopt measures, in accordance with their domestic law, inter alia:

(a) To fight sexual exploitation with a view to abolishing it, by prosecuting and punishing those who engage in that activity, not including the victims of trafficking for the purpose of sexual exploitation;

(b) To raise awareness, especially through training, among criminal justice officials and others, as appropriate, of the needs of victims of trafficking and of the crucial role of victims in detecting and prosecuting that crime by, inter alia:

(i) Investigating all cases reported by victims, preventing further victimization and, in general, treating victims with respect;

(ii) Treating victims and witnesses with sensitivity throughout criminal judicial proceedings, in accordance with articles 24 and 25 of the United Nations Convention against Transnational Organized Crime and article 6, paragraph 2, of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, where applicable;

4. *Also invites* Member States to adopt measures, in accordance with their domestic law, inter alia:

(a) To provide assistance and protection to victims of trafficking in persons, including measures to permit victims of trafficking to remain in their territory temporarily or permanently, as appropriate;

(b) To promote the legislative and other measures necessary to establish a wide range of assistance, including legal, psychological, medical and social

[70] General Assembly resolution 55/25, annex I.
[71] General Assembly resolution 55/25, annex II.
[72] General Assembly resolution 54/263, annex II.

assistance to the actual victims of trafficking, subject to the determination of the existence of victimization,

(c) To provide humane treatment for all victims of trafficking, taking into account their age, gender and particular needs, in accordance with article 6, paragraphs 3 and 4, of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, where applicable;

(d) To assist in the reintegration of victims of trafficking into society;

(e) To develop guidelines for the protection of victims of trafficking before, during and after criminal proceedings, as appropriate;

5. *Urges* Member States to employ a comprehensive approach to combating trafficking in persons, incorporating law enforcement efforts and the protection of victims and preventive measures, including measures against activities that derive profit from the exploitation of victims of trafficking and, where appropriate, the confiscation and seizure of the proceeds of trafficking;

6. *Calls upon* Member States to collaborate with a view to preventing trafficking in persons, including for the purpose of sexual exploitation, through:

(a) Improved technical cooperation to strengthen local and national institutions aimed at preventing trafficking in persons, especially women and children, in countries of origin;

(b) Information campaigns on the techniques and methods of traffickers, programmes of education aimed at prospective targets, including those who create the demand, as well as vocational training in social skills and assistance in the reintegration of victims of trafficking into society;

(c) A focus on regions in post-conflict situations and regions of natural disaster, where patterns of human trafficking are increasingly recognized as a serious problem, and the early incorporation of measures to combat trafficking, including the training and establishment of standards of behaviour of military and civilian personnel involved in peacekeeping operations;

(d) Encouraging Member States to participate in regional forums as a means to develop practical strategies to combat trafficking in persons and to protect victims;

7. *Urges* Member States to take measures against trafficking in persons, especially women and children, that are consistent with internationally recognized principles of non-discrimination and that respect the human rights and fundamental freedoms of victims;

8. *Invites* Member States to set up mechanisms for coordination and collaboration between governmental and non-governmental organizations and other members of civil society, with a view to responding to the immediate needs of victims of trafficking;

9. *Also invites* Member States to allocate appropriate resources for victim services, public awareness campaigns and law enforcement activities directed at eliminating trafficking and exploitation and to foster international cooperation, including adequate technical assistance and capacity-building programmes, to

improve the ability of Member States to take effective measures against trafficking in persons;

10. *Encourages* Member States to examine the role of the exploitation of the prostitution of others in encouraging trafficking in persons;

11. *Also encourages* Member States to adopt legislative or other measures to reduce the demand that fosters all forms of trafficking in persons, including by cooperating with non-governmental organizations and civil society and by raising public awareness of how all forms of exploitation degrade their victims and the related risks of trafficking in persons, especially women and children;

12. *Further encourages* Member States to take measures, including raising public awareness, to discourage and reduce, especially among men, the demand that fosters sexual exploitation as well as other forms of human trafficking, in accordance with article 9, paragraph 5, of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, where applicable;

13. *Encourages* Member States to target the link between trafficking in persons for purposes of all forms of exploitation and other types of crime;

14. *Encourages* the United Nations Office on Drugs and Crime to continue its close cooperation and coordination with relevant international and regional organizations, non-governmental organizations and other members of civil society;

15. *Requests* the United Nations Office on Drugs and Crime to continue to promote the ratification of, and to assist, upon request, Member States in the implementation of, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office;[73]

16. *Also requests* the United Nations Office on Drugs and Crime to organize a meeting on technical assistance for Member States in order to coordinate, with due regard to the work of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, the work of agencies and bodies of the United Nations system, as well as other relevant intergovernmental organizations, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office;[74]

17. *Encourages* Member States to make voluntary contributions to further strengthen and support the United Nations Office on Drugs and Crime and its Global Programme against Trafficking in Human Beings, in particular in the area of technical assistance activities;

18. *Requests* the Secretary-General to report on the implementation of the present resolution to the Commission on Crime Prevention and Criminal Justice at its seventeenth session and thereafter to share its report with the Conference of the Parties to the United Nations Convention against Transnational Organized Crime.

[73] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

[74] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

Draft resolution IX

International Permanent Observatory on Security Measures during Major Events

The Economic and Social Council,

Recognizing the increasing importance of major events, such as large-scale sporting events, including Olympic Games, high-level summits and other mass events such as national and religious festivals,

Recognizing also the principle of freedom of assembly,

Mindful of the fact that, owing to their scale and/or high visibility, major events can be a target for unlawful activities, including for terrorism, and can be exploited by organized criminal groups for their illegal activities,

Mindful also that major events offer opportunities for host countries to strengthen their capacity to manage security,

Aware of the need to share information, in full respect of the principle of data protection, on possible threats to the security of major events and to exchange experience and proven practices in addressing such threats,

Welcoming the establishment by the United Nations Interregional Crime and Justice Research Institute of the International Permanent Observatory on Security Measures during Major Events,

Noting with appreciation the work done by the United Nations Interregional Crime and Justice Research Institute in the framework of the Observatory, such as the development of relevant analytical tools and the organization of expert meetings in China, Italy, Norway, Portugal, the Russian Federation, Spain and the United States of America,

1. *Encourages* Member States, in particular those planning major events in the coming years, to strengthen their cooperation, including in the framework of the International Permanent Observatory on Security Measures during Major Events, by sharing knowledge of possible threats to major events and relevant practices related to security during such events;

2. *Invites* the United Nations Interregional Crime and Justice Research Institute, subject to the availability of extrabudgetary resources, to continue and expand its work on the Observatory, including by providing technical assistance and advisory services on security during major events to Member States upon request;

3. *Invites* Member States to make voluntary and in-kind contributions to the United Nations Interregional Crime and Justice Research Institute for the continuation and expansion of the activities of the Observatory, and invites the Institute to mobilize funds from the private sector for such activities;

4. *Requests* the Secretary-General to bring the present resolution to the attention of Member States.

Draft resolution X

Crime prevention and criminal justice responses to violence against women and girls

The Economic and Social Council,

Recalling that, at the 2005 World Summit held at United Nations Headquarters from 14 to 16 September 2005, Heads of State and Government underscored the importance of eliminating all forms of discrimination and violence against women and girls,[75]

Recalling also the Beijing Declaration and the Platform for Action[76] adopted by the Fourth World Conference on Women, held in Beijing from 4 to 15 September 1995, and, in particular, the determination of Governments to prevent and eliminate all forms of violence against women and girls,

Bearing in mind that, in the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century, adopted by the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Vienna from 10 to 17 April 2000,[77] Member States committed themselves to taking into account and addressing, within the United Nations Crime Prevention and Criminal Justice Programme, as well as within national crime prevention and criminal justice strategies, any disparate impact of programmes and policies on women and men,

Recalling that, in the plans of action for the implementation of the Vienna Declaration,[78] specific national and international measures on the special needs of women as criminal justice practitioners, victims, prisoners and offenders were recommended,

Recalling also that the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice, adopted at the high-level segment of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, held in Bangkok from 18 to 25 April 2005,[79] emphasized the importance of promoting the interests of victims of crime, including taking account of their gender,

Reaffirming General Assembly resolution 52/86 of 12 December 1997, on crime prevention and criminal justice measures to eliminate violence against women, in which the Assembly adopted the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice, and called upon the Commission on Crime Prevention and Criminal Justice to continue to consider the elimination of violence against women within the training and technical assistance efforts of the United Nations Crime Prevention and Criminal Justice Programme,

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[75] See General Assembly resolution 60/1.

[76] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[77] General Assembly resolution 55/59.

[78] General Assembly resolution 56/261, annex.

[79] A/CONF.203/18, chap. I, resolution 1.

Noting Security Council resolution 1325 (2000) of 31 October 2000 on women, peace and security, in which the Council recognized the serious impact of armed conflict and resulting violence directed against women in such situations,

Recalling its resolution 1996/12 of 23 July 1996 on the elimination of violence against women, in which it urged Member States to review or consider legislation and legal principles, procedures, policies and practices relating to criminal matters to determine if they had an adverse or negative impact on women and, if they had such an impact, to modify them in order to ensure that women were treated fairly by the criminal justice system,

Recalling also its resolution 2005/20 of 22 July 2005, in which it adopted the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime, which contain a gender perspective,

Reaffirming its resolution 2005/21 of 22 July 2005 on strengthening the rule of law and the reform of criminal justice institutions, in which it encouraged the United Nations Office on Drugs and Crime to continue to develop tools and training manuals on criminal justice reform, based on international standards and best practices,

Noting previous and ongoing work of the United Nations Office on Drugs and Crime in the area of violence against women and children,

Noting also the Workshop on Violence against Women in the Twenty-first Century, organized by the Government of France, the United Nations and the Organization for Security and Cooperation in Europe in Paris on 28 and 29 April 2005,

Recognizing the challenge of developing effective criminal justice initiatives targeting violence against women and girls, in particular in the area of designing appropriate law enforcement responses in developing countries and countries with societies in transition, which would ensure the protection of victims while guaranteeing that perpetrators are effectively prosecuted and held accountable for their acts,

Noting the progress made by the independent expert in preparing the study on violence against children, requested by the General Assembly in its resolution 57/190 of 18 December 2002, which will pay particular attention to the situation of girls, and the contribution of the United Nations Office on Drugs and Crime to that study,

Welcoming the in-depth study on all forms of violence against women requested by the General Assembly in its resolution 58/185 of 22 December 2003 and looking forward to its publication, and also welcoming the contribution of the United Nations Office on Drugs and Crime to that study in the field of the co-sponsoring, with the Division for the Advancement of Women of the Secretariat, of an expert group meeting held in May 2005 on good practices in combating and eliminating violence against women,

Expressing concern at the high levels of violence against women and girls in many societies,

1. *Urges* Member States to consider, in the context of the Model Strategies and Practical Measures on the Elimination of Violence against

Women in the Field of Crime Prevention and Criminal Justice[60] in developing and undertaking strategies and practical measures to eliminate violence against women and to promote women's equality within the criminal justice system,

7. *Strongly encourages* Member States to promote an active and visible policy for integrating a gender perspective into the development and implementation of policies and programmes in the field of crime prevention and criminal justice in order to assist with the elimination of violence against women and girls;

8. *Requests* the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office,[61] and invites the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network to consider providing assistance, upon request, to Member States in the area of crime prevention and criminal justice responses to violence against women and girls, in cooperation with other relevant entities of the United Nations system, and to integrate the elimination of violence against women and girls into their training and technical assistance efforts, including their crime prevention activities;

4. *Welcomes* the development by the United Nations Office on Drugs and Crime of a handbook for law enforcement officials on effective responses to violence against women, and encourages the Office, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office,[62] to continue to develop tools and training manuals on criminal justice reform, with a gender perspective and targeting the special needs of women in the criminal justice system, including women in prison settings;

5. *Also welcomes* the work already carried out by the United Nations Office on Drugs and Crime in providing assistance to victims of violence, in particular women and children, by setting up one-stop centres and supporting non-governmental organizations active in that area, and invites the Office, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office,[63] to draw on its experience to expand such activities;

6. *Invites* Member States to provide resources to the United Nations Office on Drugs and Crime to enable it to provide effective assistance to Member States in the area of crime prevention and criminal justice responses to violence against women and girls;

7. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its seventeenth session, in 2008, on the implementation of the present resolution.

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[60] General Assembly resolution 52/86, annex.

[61] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

[62] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

[63] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

C. Draft decisions for adoption by the Economic and Social Council

3. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft decisions:

Draft decision I

Report of the Commission on Crime Prevention and Criminal Justice on its fifteenth session and provisional agenda and documentation for its sixteenth session

The Economic and Social Council:

(a) Takes note of the report of the Commission on Crime Prevention and Criminal Justice on its fifteenth session;

(b) Approves the provisional agenda and documentation for the sixteenth session as set out below, on the understanding that at its intersessional meetings the Commission will examine and finalize the provisional agenda and documentation, taking into account the proposal contained in annex XIV to the report of the Commission on its fifteenth session (see also chapter IX, paragraph 177).

Provisional agenda and documentation for the sixteenth session of the Commission on Crime Prevention and Criminal Justice

A. Provisional agenda

1. Election of officers.

2. Adoption of the agenda and organization of work.

3. World crime trends and responses: general overview and activities of the United Nations Office on Drugs and Crime.

4. Thematic discussion: "Globalization and economic crime, with particular emphasis on money-laundering and the financing of terrorism".

5. Follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice.

6. International cooperation in combating transnational crime:

   (a) United Nations Convention against Transnational Organized Crime and the Protocols thereto;

   (b) United Nations Convention against Corruption.

7. Strengthening international cooperation and technical assistance in preventing and combating terrorism.

8. Use and application of United Nations standards and norms in crime prevention and criminal justice.

9. Preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice.

10. Policy directives for the crime programme of the United Nations Office on Drugs and Crime.

11. Strengthening the crime programme of the United Nations Office on Drugs and Crime and the role of the Commission on Crime Prevention and Criminal Justice as its governing body.

12. Administrative and budgetary questions.

13. Provisional agenda for the seventeenth session.

14. Adoption of the report of the Commission on its sixteenth session.

B. Documentation

1. Election of officers.

(Legislative authority: Economic and Social Council resolution 2003/31)

2. Adoption of the agenda and organization of work.

Documentation

Provisional agenda, annotations and proposed organization of work.

(Legislative authority: rules 5 and 7 of the rules of procedure of the functional commissions of the Economic and Social Council and Council resolution 1992/1 and decisions 1997/232 and 2005/249)

3. World crime trends and responses: general overview and activities of the United Nations Office on Drugs and Crime.

Documentation

Note by the Executive Director on world crime trends and responses.

Report of the Executive Director on the work of the United Nations Office on Drugs and Crime.

(Legislative authority: General Assembly resolution 57/170 and Economic and Social Council resolutions 1992/22, 1999/23 and ... [E/CN.15/2006/L.1/Add.1])

Report of the Secretary-General on strengthening the technical cooperation capacity of the United Nations Crime Prevention and Criminal Justice Programme in the area of the rule of law and criminal justice reform.

(Legislative authority: Economic and Social Council resolution 2005/21)

Report of the Secretary-General on the activities of the institutes of the United Nations Crime Prevention and Criminal Justice Programme network.

(Legislative authority: Economic and Social Council resolutions 1992/22, 1994/21 and 1999/23)

Note by the Secretary-General transmitting the report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute.

(Legislative authority: Economic and Social Council decision 1989/56)

4. Thematic discussion: "Globalization and economic crime, with particular emphasis on money-laundering and the financing of terrorism"

Documentation

Note by the Secretariat (as required)

5. Follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice

Documentation

Report of the Secretary-General on the follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice

(Legislative authority: General Assembly resolution 60/177 and Economic and Social Council resolution ... (E/CN.15/2006/L.8/Rev.1))

6. International cooperation in combating transnational crime

Documentation

Report of the Secretary-General on international cooperation in the fight against transnational crime

(Legislative authority: General Assembly resolutions 57/168, 58/169, 59/157 and 60/175)

Report of the Secretary-General on the United Nations Convention against Corruption

(Legislative authority: General Assembly resolutions 40/243, 55/61, 56/186, 56/260, 57/169, 59/155 and 60/175)

Report of the Secretary-General on the study on fraud, the criminal misuse and falsification of identity and related crimes

(Legislative authority: Economic and Social Council resolution 2004/26)

Report of the Executive Director on international cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims

(Legislative authority: Economic and Social Council resolution ... (E/CN.15/2006/L.14/Rev.1))

7. Strengthening international cooperation and technical assistance in preventing and combating terrorism

Documentation

Report of the Secretary-General on strengthening international cooperation and technical assistance in promoting the implementation of the universal conventions and protocols related to terrorism within the framework of the activities of the United Nations Office on Drugs and Crime

(Legislative authority: General Assembly resolutions 58/136, 59/153 and 60/175)

8. Use and application of United Nations standards and norms in crime prevention and criminal justice

Documentation

Report of the Secretary-General on United Nations standards and norms in crime prevention and criminal justice

(Legislative authority: Economic and Social Council resolutions 1992/22, 2004/28, 2005/22 and ...; [E/CN.15/2006/L.2/Rev.2])

Report of the Secretary-General on strengthening basic principles of judicial conduct

(Legislative authority: Economic and Social Council resolution ...; [E/CN.15/2006/L.5/Rev.1])

Report of the Secretary-General on protection against trafficking in cultural property

(Legislative authority: Economic and Social Council resolution 2004/34)

9. Preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice

Documentation

Note by the Secretary-General on the follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice

(Legislative authority: Economic and Social Council resolution ...; [E/CN.15/2006/L.8/Rev.1])

10. Policy directives for the crime programme of the United Nations Office on Drugs and Crime

Documentation

Note by the Secretary-General on the strategic framework for the period 2008-2009 (as required)

Note by the Secretariat on nomination of members of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute (as required)

11. Strengthening the crime programme of the United Nations Office on Drugs and Crime and the role of the Commission on Crime Prevention and Criminal Justice as its governing body

Documentation

Report of the Secretary-General on strengthening the crime programme of the United Nations Office on Drugs and Crime and the role of the Commission on Crime Prevention and Criminal Justice as its governing body

(Legislative authority: Economic and Social Council resolution ...; [E/CN.15/2006/L.12/Rev.1])

12. Administrative and budgetary questions

Documentation

Report of the Executive Director on the United Nations Office on Drugs and Crime: consolidated budget outline for 2008-2009

Report of the Advisory Committee on Administrative and Budgetary Questions on the consolidated budget outline for 2008-2009 for the United Nations Office on Drugs and Crime

(Legislative authority: Economic and Social Council resolution [E/CN.15/2006/L.12/Rev.1])

13. Provisional agenda for the seventeenth session

(Legislative authority: rule 9 of the rules of procedure of the functional commissions of the Economic and Social Council and Council decisions 2002/238 and 2005/249)

14. Adoption of the report of the Commission on its sixteenth session

Draft decision II

Appointment of a member of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute

The Economic and Social Council decides to endorse the appointment, by the Commission on Crime Prevention and Criminal Justice at its fifteenth session, of Michèle Ramis-Plum (France) to the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute.

Chapter II

Work of the United Nations Office on Drugs and Crime

4. At its 1st and 2nd meetings, on 24 April 2006, the Commission on Crime Prevention and Criminal Justice considered agenda item 3, entitled "Work of the United Nations Office on Drugs and Crime". For its consideration of the item, the Commission had before it the following documents:

(a) Report of the Executive Director on development, security and justice for all: towards a safer world (E/CN.7/2006/5-E/CN.15/2006/2);

(b) Report of the Secretary-General on the rule of law and development: strengthening the rule of law and the reform of criminal justice institutions, including in post-conflict reconstruction (E/CN.15/2006/3);

(c) Report of the Secretary-General on the activities of the institutes of the United Nations Crime Prevention and Criminal Justice Programme network (E/CN.15/2006/5 and Corr.1);

(d) Note by the Secretary-General on the results of the meeting of the open-ended expert group on ways and means of improving crime data collection, research and analysis with a view to enhancing the work of the United Nations Office on Drugs and Crime and other relevant international entities (E/CN.15/2006/4);

(e) Note by the Secretary-General transmitting the report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/2006/6);

(f) Report of the Round Table for Africa (E/CN.15/2006/CRP.3).

5. At its 1st meeting, on 24 April 2006, introductory statements were made by the Director of the Division for Treaty Affairs and the Director of the Division for Policy Analysis and Public Affairs of the United Nations Office on Drugs and Crime (UNODC). A statement was made by the representative of Austria on behalf of the States Members of the United Nations that are members of the European Union. (The acceding countries Bulgaria and Romania, the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey, as well as the other countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina and Serbia and Montenegro (and the European Free Trade Association members Iceland and Norway, members of the European Economic Area), as well as the Republic of Moldova and Ukraine, associated themselves with the statement.) Statements were also made by the observer for Panama (on behalf of the States Members of the United Nations that are members of the Group of Latin American and Caribbean States), the representatives of Egypt, the Russian Federation, the Republic of Korea, Canada, Armenia, the United States of America and Pakistan and by the observers for Yemen, Croatia and Australia. The observers for the International Association of Penal Law, the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders and the Asia Crime Prevention Foundation also made statements.

Deliberations

6. The Director of the Division for Treaty Affairs of UNODC highlighted some major events of the previous year, in particular the 2005 World Summit, which had placed UNODC at the centre of global issues of concern to the international community, the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice,[5] adopted by the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, held in Bangkok from 18 to 25 April 2005, which had been endorsed by the General Assembly in December 2005, and the Round Table for Africa, hosted by the Government of Nigeria in Abuja on 5 and 6 September 2005, which had endorsed the Programme of Action, 2006-2010. UNODC was working to improve data collection and analysis tools and, in that connection, she outlined the recommendations of the open-ended expert group on ways and means of improving crime data collection, research and analysis, which had met in February 2006 (see E/CN.15/2006/4). The Office had also strengthened its criminal justice reform programme and had made progress in the areas of trafficking in persons and money-laundering. Efforts to strengthen the Office in the areas of evaluation, human resource and financial management, support to intergovernmental bodies, improved coordination and effective implementation and follow-up of mandates were also outlined. In the area of strengthening the rule of law and the reform of criminal justice institutions, including in post-conflict reconstruction, the activities of the Office had covered development of tools and manuals, improving the quality and innovative nature of technical assistance in that area, and strategic partnerships with other United Nations entities and international and non-governmental organizations.

7. The Director of the Division for Policy Analysis and Public Affairs of UNODC, referring to the Programme of Action, 2006-2010, endorsed by the Round Table for Africa, mentioned the UNODC in-house matrix on its implementation, which had been made available to the Commission. He welcomed the involvement and commitment of African States, development institutions and international financial institutions and highlighted the need to mainstream the commitments made in Abuja in the development agendas and the work of regional and subregional institutions in Africa.

8. Many speakers welcomed the report of the Executive Director on development, security and justice for all: towards a safer world (E/CN.7/2006/5-E/CN.15/2006/2) and expressed appreciation and support for the work of the Office in 2005 in the areas of peace and security, poverty eradication and the rule of law and good governance.

9. The work of the Office was seen as pivotal in enhancing preventive strategies, reforming criminal justice systems and combating transnational organized crime, the smuggling of migrants, trafficking in persons, corruption and terrorism, and the comparative advantages of its work were highlighted. The need for a more integrated approach within the United Nations to the provision of assistance for building capacity in crime prevention and criminal justice, as a contribution to the establishment and strengthening of the rule of law, was also emphasized. The development of strategic partnerships and UNODC involvement in and its

[5] A/CONF.203/18, chap. I, resolution 1.

contribution to United Nations initiatives in that area were welcomed, including its input to the recently established Peacebuilding Commission. Note was taken of the 2005 World Summit Outcome (see resolution 60/1), in which the General Assembly had paid particular attention to the mandates of UNODC and resolved to strengthen UNODC technical assistance capacity.

10. One speaker emphasized that the Office should focus on the ratification and implementation of the existing international instruments against crime, corruption and terrorism, and should not be drawn into marginal areas, such as development and poverty alleviation, where other United Nations entities already had mandates.

11. Several speakers commended the Office for its valuable contribution in the area of providing technical assistance to Member States. Its efforts to build the capacity of the field offices were also welcomed. However, some speakers regretted the chronic disparity between the required and expanded operational activities of UNODC and the resources available and called for an increase in general-purpose funding for UNODC in order to lend a certain degree of flexibility to the operation of the Office. The provision of increased technical assistance to Member States was called for by several speakers.

12. Some speakers recognized that UNODC provided special expertise in areas of crime and drugs that other international and United Nations entities valued and appreciated. In particular, the Office had provided important technical assistance in countries in post-conflict situations since the early 1990s. The efforts by the Office to increase coordination with other United Nations entities and regional and non-governmental organizations in the development of assistance to promote the rule of law, as well as criminal justice reform initiatives, in particular with the Department of Peacekeeping Operations of the Secretariat, the Peacebuilding Commission and the Rule of Law Focal Point Network, were also welcomed. It was emphasized that such close coordination and assistance provided to other United Nations entities, such as the Civilian Police Division of the Department of Peacekeeping Operations and the Department of Political Affairs of the Secretariat and the United Nations Development Programme (UNDP) should continue. In that regard, it was also emphasized that small islands, developing States and fragile States faced pressing development and security issues that the international community needed to address, and that nation-building was a complex and long-term process.

13. Several speakers welcomed the work of UNODC for Africa and praised the study on "Crime and Development in Africa" as well as the Round Table for Africa held in Abuja in September 2005 and its Programme of Action, 2006-2010, to strengthen the rule of law and criminal justice systems in Africa. The need to allocate resources to assist UNODC and Member States in implementing the Programme of Action was highlighted, as well as the need to mainstream the Programme into development efforts in the region.

14. Several speakers outlined their national efforts to strengthen the rule of law and to fight crime, corruption and terrorism by the ratification and implementation of the international instruments related to terrorism, the United Nations Convention against Transnational Organized Crime (General Assembly resolution 55/25, annex I) and the Protocols thereto and the United Nations Convention against Corruption (resolution 58/4, annex) by the adoption and/or revision of legislation implementing these instruments and by the setting up of specialized institutions or

national focal points, the provision of training, the launching of awareness-raising campaigns and the adoption of national action plans and strategies.

15. Several speakers also stressed the importance of certain forms of bilateral cooperation in fighting crime, such as extradition and judicial cooperation. Some representatives referred to the bilateral assistance their Governments had provided to Governments of other Member States in the areas of capacity-building and legal assistance, in particular in the area of drug-related crime and cybercrime. Others reported on regional and subregional initiatives carried out, often with assistance from or in cooperation with UNODC, such as the organization of workshops and training seminars, the setting up of regional centres on terrorism, for instance in Algiers and Cairo, and the signing of agreements between UNODC and regional organizations. Many representatives also reported on their efforts to accede to regional instruments for fighting crime in various areas, in particular in the areas of financing of terrorism and money-laundering.

16. Several speakers called attention to the need to address in an efficient manner new forms of crime, which had not yet been given sufficient attention, such as trafficking in human organs, kidnapping, trafficking in cultural property, in natural resources and in flora and fauna, nuclear terrorism and fraud and criminal misuse of identity.

17. In the area of the prevention of terrorism, some speakers emphasized the need to criminalize terrorism and to address its root causes. The introduction of certain countermeasures in the areas of money-laundering and financing of terrorism, such as asset recovery and freezing of proceeds of crime, were reported.

18. Many speakers congratulated the Executive Director on his recent reappointment and on his continued steps to improve the management, delivery and transparency of UNODC programmes, through strategic planning, integrity, result-based budgeting and management, project cycle management, knowledge management, evaluation and financial management, in particular in view of the current emphasis on reform within the United Nations system. The Executive Director was requested to continue the dialogue with Member States in that regard and efforts to develop a more strategic and coherent approach to project planning and to refine programming procedures to ensure the delivery of well-targeted, well-planned activities for which there was strong partner government and donor support and which responded to the needs of the recipient communities. It was emphasized that the identification, implementation and dissemination of good practice and evaluation findings should remain a high priority for UNODC.

19. Several speakers laid emphasis on the need to coordinate the work of the Commission and that of the Conferences of the Parties to the United Nations Convention against Transnational Organized Crime and of the Conference of the States Parties to the United Nations Convention against Corruption, and the importance of the current session of the Commission in that regard.

20. A number of speakers made reference to the outcome of the meeting of the open-ended expert group on ways and means of improving crime data collection, research and analysis with a view to enhancing the work of UNODC and other relevant international entities.

21. Support was expressed for the recommendations made by the experts to revise the questionnaire used for the United Nations Survey on Crime Trends and Operations of Criminal Justice Systems by reducing its length, identifying the main issues to be covered, improving and clarifying definitions, and collecting data on context and metadata (see E/CN.15/2006/4, chap. II, para. 9). Speakers stressed that an increased response rate to the survey questionnaire should be achieved. However, efforts should be made to avoid imposing an excessive burden on States that had to deal with demanding reporting requirements to the United Nations. In that respect, some speakers suggested that consideration should be given to the possible consolidation and simplification of questionnaires, the possible biennialization of questionnaires sent to Member States and a review of the information requested throughout the United Nations system in order to avoid duplication and make better use of the information already available.

22. Some speakers also noted that data collected should be verified, solid methodology used for research and analysis and high-quality reports produced in a timely manner in order to ensure that UNODC products were up to date and continued to enjoy high credibility.

23. Several speakers mentioned the need for increased coordination between UNODC, the United Nations Interregional Crime and Justice Research Institute and the other institutes of the United Nations Crime Prevention and Criminal Justice Programme network, as well as the International Criminal Police Organization (Interpol), other United Nations entities and intergovernmental bodies as regards data collection and research. It was noted that UNODC could play a coordinating role and act as a repository of methodologies for data collection, analysis and dissemination (best practices), developing guidelines and promoting training on the use of the United Nations *Manual for the Development of a System of Criminal Justice Statistics*.[85]

24. Some speakers referred to the activities of the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, in particular in providing training and technical assistance to Member States in the implementation of United Nations standards and norms on crime prevention and criminal justice. One speaker reported on the Regional Crime Prevention Forum for Non-Governmental Organizations from Central and Eastern Europe, held in Vienna on 27 and 28 October 2005 and organized, in cooperation with UNODC, by the Vienna NGO Alliance on Crime Prevention and the Vienna Office of the Conference of Non-Governmental Organizations in Consultative Status with the Economic and Social Council, which had requested UNODC to assume a facilitator role in such events and had adopted recommendations to ensure greater efficiency and coordination among non-governmental organizations.

[85] United Nations publication, Sales No. E.03.XVII.6.

Chapter III

Thematic discussion on maximizing the effectiveness of technical assistance provided to Member States in crime prevention and criminal justice

25. At its 3rd and 4th meetings, on 25 April 2006, the Commission on Crime Prevention and Criminal Justice considered agenda item 4, entitled "Thematic discussion on maximizing the effectiveness of technical assistance provided to Member States in crime prevention and criminal justice". The thematic discussion was chaired by Vasyl Pokotylo (Ukraine), Vice-Chairman of the Commission, and was structured under four sub-items: (a) establishing priorities; (b) taking stock; (c) mobilizing resources; and (d) evaluation.

26. For its consideration of the item, the Commission had before it a conference room paper entitled "Maximizing the effectiveness of technical assistance provided to Member States in crime prevention and criminal justice" (E/CN.15/2006/CRP.2). In addition, the following informal documents had been made available to delegations in advance of the session at the request of the Commission during its intersessional period: (a) note on the thematic discussion; and (b) non-paper on achievements of the Commission on Crime Prevention and Criminal Justice since 1992.

27. The Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences made a statement at the opening of the thematic debate. Statements were also made by the Chief of the Human Security Branch of the Division for Operations of UNODC on sub-items (a) (Establishing priorities) and (b) (Taking stock); and by the Director of the Division for Policy Analysis and Public Affairs of UNODC on sub-items (c) (Mobilizing resources) and (d) (Evaluation). Audio-visual presentations were made by the Department of Peacekeeping Operations of the Secretariat on sub-item (b) (Taking stock); by the observer for the European Commission on sub-item (c) (Mobilizing resources); and by the observer for the International Centre for Criminal Law Reform and Criminal Justice Policy on sub-item (d) (Evaluation).

28. Statements were made by the representatives of Austria (on behalf of the European Union), Canada, China, Brazil, Pakistan, the United States, Egypt and the United Kingdom of Great Britain and Northern Ireland. Statements were also made by the observers for Sweden, France, Afghanistan, Algeria, Morocco, Australia and Tunisia. The observers for the Council of Europe, the World Bank, the United Nations Human Settlements Programme, the United Nations Interregional Crime and Justice Research Institute and the International Association against Drug Abuse and Drug Trafficking also made statements.

A. Deliberations

29. In her statement, the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences highlighted the importance of an adequate response to violence against women, at both the international and the

national level. She indicated that the international legal framework aimed at ending violence against women was being progressively strengthened, with sexual offences now included in a range of international conventions. Criminal justice responses to violence against women, the Special Rapporteur suggested, were of great importance, including aspects such as ensuring the existence of appropriate legal frameworks and criminal justice institutions with adequately trained staff experienced in the necessary specialized approaches. The Special Rapporteur stated that, given the mandate of UNODC in the area of crime prevention and criminal justice, there was scope for greater coordination between her work and that of the Commission on Crime Prevention and Criminal Justice.

Sub-items (a) and (b): Establishing priorities and taking stock

30. In his introductory statement, the Chief of the Human Security Branch of the Division for Operations of UNODC outlined the combination of factors that influenced the selection of priorities and issues to be addressed through technical assistance. These included factors that were internal to the United Nations, for example strategic priorities set by governing bodies, such as the Commission on Crime Prevention and Criminal Justice, and the capacity and field presence of UNODC, as well as external factors, such as requests received for technical assistance, the absorption capacity of recipient States and donor priorities. It was noted that, given that financial and human resources were limited, UNODC needed to balance its response to current requests for technical assistance and the requirement to address emerging issues. While it was always a challenge to set priorities in a complex and often changing environment, UNODC had entered into or completed various processes related to determining strategic priorities, including developing an overall strategy for UNODC and formulating strategic programme frameworks at the country level. The Programme of Action, 2006-2010, for Africa, adopted by the Round Table for Africa held in Abuja on 5 and 6 September 2005, constituted a good example of prioritizing both a geographical region and a set of substantive issues. A capacity to assess institutional strengths and weaknesses in the criminal justice sector was crucial for the design of effective and sustainable technical assistance and UNODC was developing a series of assessment tools in that regard.

31. Taking stock of what had been achieved through the provision of technical assistance in crime prevention and criminal justice, the representative of UNODC noted that the crime programme had grown significantly in recent years. There were currently some 40 ongoing projects, valued at $87 million. One lesson that had been identified was that generic tools and training materials that were adaptable to various country environments needed to be available, to enable relatively rapid responses to requests for assistance. It was also noted that an important prerequisite for success in the provision of technical assistance was a basic criminal justice infrastructure within the framework of which more specialized training and capacity-building activities could be organized. A key goal of UNODC was to be a centre of expertise within the United Nations system on crime prevention and criminal justice matters.

32. A number of thematic areas were highlighted. These included the need to focus on and prioritize specific themes; the importance of regional initiatives; the requirement to both strengthen and rely on the capacity of UNODC field offices; the

importance of assessing needs before finalizing technical assistance interventions, the need to gather and exchange information, and the critical importance of coordination, both within the United Nations system and with other multilateral and bilateral actors.

33. Several speakers highlighted how important it was for UNODC to focus on a clearly defined set of substantive areas. In particular, the ratification and implementation of the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption were seen as priority areas for the provision of technical assistance. One speaker highlighted the fact that the Commission, as the policymaking body on crime prevention and criminal justice in the United Nations system, had a central role to play in determining areas of work and providing overall guidance to UNODC. Nevertheless, and while it was important to respond to emerging crime issues, the Commission must be disciplined in what it requested UNODC to do, bearing in mind the limited resources available. One speaker highlighted the importance of the ongoing process within the United Nations to review mandates older than five years and, in that context, suggested that a corresponding process should be undertaken to assess whether ongoing projects and activities were still relevant.

34. With regard to the implementation of projects at the country level, one speaker suggested that such projects should be selected on the basis of their demonstration value, in order that lessons could be learned for other technical assistance activities. Similarly, another speaker argued that an important aim of technical assistance should be the creation of national centres of excellence in specific criminal justice and related areas. In order to improve international cooperation, one speaker emphasized the importance of technical assistance in the area of mutual legal assistance and extradition.

35. Several speakers highlighted the importance of regional initiatives where States had common experiences and requirements. It was underscored by one speaker that existing regional arrangements and frameworks should be used, rather than creating new ones. There was an important role to be played at the regional level by the institutes of the United Nations Crime Prevention and Criminal Justice Programme network and regional organizations.

36. Several speakers welcomed the work of UNODC to develop a set of criminal justice assessment tools, which would allow a systematic determination of which areas should be selected for the focus of technical assistance. One speaker suggested that such assessments should also take into account the presence of informal or parallel justice systems in some States. The importance of assessment missions as a means to analyse the real needs of requesting States was highlighted. Another speaker added that the specific socio-political and economic circumstances of requesting States needed to be taken into account. One speaker pointed out the importance of information-gathering at the global level, in order to serve as a basis for possible technical assistance interventions. Another speaker highlighted the importance of monitoring and peer review mechanisms, suggesting that experience in the field against corruption was much more effective when such mechanisms were in place.

37. A number of speakers underscored the value of the UNODC field office network in the provision of assistance. Field offices were well placed to understand

the unique problems and challenges of the regions and States where they where based. The need to strengthen the UNODC field office network, including through training and other capacity-building interventions in the area of crime prevention and criminal justice, was emphasized.

38. A presentation by the Department of Peacekeeping Operations highlighted, among other factors, the critical importance of coordination and cooperation between United Nations bodies in the area of criminal justice. The speaker noted that, while progress was being achieved, there was considerable room for improving collaboration. Given that 10 United Nations funds, programmes and agencies worked on some aspect of the rule of law and criminal justice, and all suffered from resource constraints, it was imperative to cooperate, taking into account their various mandates and areas of expertise. With regard to the specific issue of post-conflict peacebuilding, the speaker emphasized that United Nations peacekeeping operations needed to draw on expertise from across the United Nations system. In-country coordination between various United Nations entities on the ground was achieved under the leadership of the Special Representative of the Secretary-General, although the nature of that coordination effort sometimes varied from mission to mission. He highlighted a number of areas, including the requirement for adequate responses to organized crime, drug trafficking and corruption in many post-conflict settings, where UNODC was a natural partner and provided expertise. In addition, UNODC was well placed to provide technical tools and manuals, such as the criminal justice assessment tools, a project in which the Department of Peacekeeping Operations was a partner. The Department had initiated the development of a rule of law index and UNODC was providing inputs where relevant.

39. Several speakers welcomed the cooperation between the Department of Peacekeeping Operations and UNODC, which demonstrated how entities of the United Nations system could work together more effectively. Several speakers reiterated the importance of achieving a common approach at the country level to avoid duplication and unnecessary competition between entities of the United Nations system. It was emphasized that integrated assessments, both when peacekeeping assessments were being initiated and in later stages in their development, were crucial to ensuring effective coordination and complementarity of programmes. One speaker emphasized that, while better United Nations system coordination was clearly to be welcomed, competition and lack of coordination at the country level and with bilateral donors remained an issue in some cases. In that regard, the importance of adequate exchange of information was emphasized.

Sub-items (c) and (d): Mobilization of resources and evaluation

40. In his presentation on sub-items (c) and (d), the Director of the Division for Policy Analysis and Public Affairs, UNODC outlined the trends, dimensions and challenges in resource mobilization. He underscored that the challenges the Office was facing in relation to the first two dimensions related to the difficulties States had in linking the topics of rule of law and development. Reference was made to the Round Table for Africa and its Programme of Action, 2006-2010, which had shown that development was unlikely to be successful without the rule of law. He noted that donor contributions were being made increasingly through direct budget support to recipient States and earmarked contributions for UNODC. That trend

(d) The overarching strategy currently being developed by UNODC would assist the process of prioritization. In that context, it was noted that the Commission had a major role to play in determining priorities for UNODC technical assistance by providing policy directives and strategic guidance;

(e) Emphasis was placed on the notion that assistance should focus on developing countries that were willing to implement crime prevention and criminal justice policies in an effective manner, including the new crime treaties, but unable to do so owing to lack of resources;

(f) Technical assistance provided by UNODC should promote the dissemination and application of best practices and practical tools with the aim of promoting universal ratification and implementation of new international instruments and standards and norms in the field of crime prevention and criminal justice. The tools developed by UNODC should be tailored to the needs of individual States. It was noted that, in assessing needs, it was important that the social, economic, cultural and political circumstances of a particular partner State should be taken into account and efforts should be made to conduct assessments of parallel or informal justice systems that might operate in the country;

(g) Overall, UNODC worked to provide a coherent, multisectoral programme of technical assistance, based on what was needed and feasible. Gathering of information, also in coordination with non-governmental organizations and research institutes, could be improved;

(h) Emphasis was placed on the need for a common approach, such as the development of United Nations joint programmes of assistance in the field of crime prevention and criminal justice for specific States, which was seen as a good practice;

(i) Better synergies between various providers of technical assistance, starting at the assessment and planning phases, would assist in the better utilization of resources. Coordination efforts between UNODC and its multilateral partners, such as the Department of Peacekeeping Operations, the World Bank and UNDP, should continue to be enhanced. UNODC was seen as having a key coordinating role within its mandates. Improved coordination of bilateral and multilateral providers of technical assistance was also required. With its comparative advantage and expertise, UNODC could be a catalyst to bring the rule of law into the mainstream of the agendas of various United Nations entities;

(j) Assessment of the needs of requesting States, which was fundamental for prioritizing technical assistance requests, based on a thorough analysis of national capacity and the development of assessment tools in partnership with other United Nations system entities, was regarded as a good practice;

(k) The role of the UNODC field offices in assessing technical cooperation needs was emphasized, in particular in relation to the fact that the field offices were best placed to understand prevailing conditions in the countries and regions they covered;

(l) The need to integrate crime prevention and criminal justice elements into peacebuilding operations was underlined in anticipation of providing support to States in post-conflict situations. The cooperation established between UNODC and

the Department of Peacekeeping Operations in promoting the rule of law in countries in post-conflict situations was appreciated.

(m) The Round Table for Africa and its Programme of Action, 2006-2010, of UNODC was identified as a good example of prioritizing specific areas of assistance, based on the needs of a region, and could be recommended as a model for future planning in other regions.

(n) It was generally felt that it was possible and desirable to achieve better cooperation with the international aid community and to promote the alignment of donor assistance to national strategies and priorities in the rule of law sector.

(o) It was noted that voluntary funding for UNODC technical assistance programmes in the area of prevention and criminal justice had increased considerably. It was, however, also noted that the majority of contributions were earmarked for activities in specific areas and/or States. More general-purpose funding was needed to enable the Office to better plan and implement longer-term activities compatible with its mandate and core functions and to provide a degree of flexibility and the capacity to respond to emerging issues.

(p) The overarching strategy being developed by UNODC was welcomed and it was recognized that it would facilitate the development of programmes and the promotion of strategic partnerships. It would also contribute to increasing the confidence of donors in the Office and reduce the earmarking of their contributions. The management review process currently being undertaken by UNODC, covering areas such as result-based performance and transparency, would also contribute to an increase of donor support.

(q) It was also recognized that efforts to mainstream crime issues into the larger development agenda should be continued, in order to increase the resources available to support crime prevention and criminal justice programmes and promote their sustainability.

(r) Monitoring and evaluation of technical assistance, the measurement of its impact and the further use of lessons learned were essential elements of technical assistance.

(s) While technical assistance in the area of crime prevention and criminal justice did not always lend itself to evaluation of impact, it was necessary to assess the efficiency, effectiveness and relevance of projects and programmes in that field, rather than the delivery of outputs.

B. Workshop

52. A workshop on the theme "Maximizing the effectiveness of technical assistance provided by Member States in crime prevention and criminal justice: solutions for the future: key components for effective technical assistance" was organized by the institutes of the United Nations Crime Prevention and Criminal Justice Programme network. The workshop was chaired by Shahbaz (Pakistan), First Vice-Chairman of the Commission and Chairman of the Committee of the Whole. Six presentations were made at the workshop, covering two main thematic

fields, ways of enhancing the effectiveness of technical assistance and recent experience in technical assistance.

53. In his opening remarks, the First Vice-Chairman noted that the objectives of the workshop were to outline factors impeding the effectiveness of technical assistance and to consider possible remedies; to provide models and projects exemplifying successful approaches to technical assistance; and to stimulate discussion.

54. In his introductory statement, the Chief of the Strategic Planning Unit of the Division for Policy Analysis and Public Affairs of UNODC stressed the special role of the institutes of the United Nations Crime Prevention and Criminal Justice Programme network in promoting knowledge-building, in strengthening national and international policies and in assisting in the implementation of United Nations standards and norms, including the relevant normative instruments. He further indicated that, within the framework of the overall UNODC strategy, the assistance provided to Member States should cover a whole range of issues related to prevention, rule of law, treatment and reintegration and analysis of thematic and cross-sectoral trends for effective policy formulation and operational response. In that respect, it would be important to have in place a number of enabling conditions for rendering such assistance more effective and efficient, such as diversification of funding, alignment of resources with existing strategies and performance, and coordination among the key players in the field.

55. The observer for the International Centre for the Prevention of Crime made a presentation on the key components for effective technical assistance and possible future solutions towards revitalizing technical assistance activities in the area of crime prevention and criminal justice. Using as an example the incomplete effort to establish and maintain on an ongoing basis a database on international projects in crime prevention and criminal justice in Central and Eastern Europe, she put emphasis on the need to utilize the lessons learned in order to achieve better results and address the new challenges in the field of technical assistance more effectively. Consideration was further given to certain constraints that rendered technical assistance inadequate and ineffective, such as the lack of sufficient resources, the uncoordinated, fragmented and scattered nature of the assistance provided, the partial failure of existing coordination mechanisms, the failure to take into account the receiving State's needs and interests and, thus, to instil a sense of ownership, the lack of sensitivity to the specific context of the recipient State, the neglect of areas requiring action as a result of the failure to embrace a more comprehensive and integrated approach to technical assistance, the failure to take into account the capacity of the receiving States to implement or benefit from technical assistance programmes, and corruption and abuse. In the speaker's view, recent initiatives at the national, regional and international levels had already shown that a consensus was emerging on a set of approaches and possible guidelines aimed at enhancing the efficiency of technical assistance activities. In that context, she mentioned the following key elements: promotion of comprehensive and holistic approaches to strengthen the crime prevention and criminal justice sector as a whole; country-led programming to stimulate country ownership and sustainability; building on existing strengths and preference for long-term assistance; participation and active involvement of civil society; and research-based and result-oriented monitoring and evaluation.

56. The observer for the European Commission provided an overview of the European Union's strategy on aid effectiveness. He stressed that the Union had fully endorsed the five partnership commitments of the Paris Declaration on Aid Effectiveness, adopted by the High-level Forum held in Paris from 28 February to 2 March 2005, concerning ownership by the partner States, alignment of donors with partner countries, harmonization of donor actions, managing for results and mutual accountability of donors and partners. He also made reference to the four additional commitments entered into by the Union: increasing use of multi-donor arrangements in capacity-building assistance; channelling 50 per cent of Government-to-Government assistance through country systems; avoiding the establishment of new project implementation units; and reducing the number of uncoordinated missions by 50 per cent. He put emphasis on the establishment of a joint multi-annual programming framework of the European Commission with partner States and other donors, as well as on the need to develop operational principles for ensuring coordination and to revise the European Union's rules on co-financing with a view to facilitating joint financing arrangements. In the field of crime prevention and criminal justice, the efforts of the Union were geared towards increasing the effectiveness of technical assistance and included the development of a concept and guidelines on security system reform; the preparation of rules and tools to recruit the appropriate experts; and the identification of commonly agreed indicators on the results of technical assistance in the field of governance.

57. The observer for the International Centre for Criminal Law Reform and Criminal Justice Policy focused his attention on technical assistance in small States. He underlined that the effectiveness of technical assistance was dependent on the adaptation of methods to differing country situations, taking into consideration the political and institutional context, geopolitical factors, psychological attitudes, including the level of public support for reforms, economic circumstances, the normative framework, government effectiveness, the commitment to and progress made in controlling corruption, and civil society involvement. Further reference was made to the vulnerabilities of many small States arising from factors such as globalization and transnational crime, as well as to the difficulties they encountered owing to limited capacity and human resources and the inability to participate fully in global regimes and international policies and treaties. The speaker argued that the justice sector was particularly affected in most of those States by the limited capacity of existing institutions and the declining levels of development assistance. He noted the need to establish priorities and promote regional approaches and underscored that coordination among multiple donors was important for exploring flexible programming options and reducing the transaction costs for small States. Equally important for donors and technical assistance providers would also be to tailor their tools and instruments to suit the institutional capacity of such States, as well as to adopt whole-sector and integrated assistance approaches in consideration of the relatively small scale of the systems involved.

58. During the presentation of recent technical assistance experience, the observer for the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders provided a brief description of a collaborative partnership with the Philippines on the revitalization of its Volunteer Probation Aide Programme. The key objective of the Programme was to promote community involvement in the treatment of offenders in accordance with the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules). General Assembly

resolution 45/110, annex). The technical assistance project was intended to foster a sense of ownership by the recipient State and was premised on the introduction of the corresponding Japanese model as good and long-standing practice in that area.

59. The observer for the Norwegian Police Directorate presented the lessons learned from the perspective of a donor country (Norway) on technical assistance programming and policing on the occasion of a specific project to promote bilateral and multilateral police assistance in Serbia and Montenegro. The project was launched in 2002 and focused initially on a small police district, aiming at building capacity, through training, to fight financial and narcotics crime, as well as improving infrastructure, management skills and forensic capacity. The project was later expanded to cover all police stations in the targeted region and led to the identification on general indicators on sustainability and local ownership.

60. The observer for the Latin American Institute for the Prevention of Crime and the Treatment of Offenders presented the experience of the Institute in the field of technical assistance on criminal justice and prison reform in Latin America. He listed examples of technical assistance programmes channelled through the Institute, which had managed, despite limited resources, to play the role of a catalytic agent in that field. The speaker also stressed the importance of adopting a cross-cutting diagnostic approach when assessing the needs to be addressed through technical assistance and further favoured the improvement of methodologies used for evaluating the impact of technical assistance.

61. In the discussion following the presentations, questions were raised about the limited value of piecemeal technical assistance activities that were not integrated into broader reform and capacity-building initiatives and were not fully endorsed and supported at the national level. In that context, the importance of ensuring ownership over the quality of the assistance provided during each stage of the relevant process and over the results and timeliness of such assistance was emphasized. It was also suggested that further action should be taken to meet the specific needs of the recipient States and to address problems related to the evaluation of the effectiveness of technical assistance activities. Moreover, the institutes were encouraged to continue working closely with each other, with United Nations entities and with Member States with a view to defining a more systematic strategy and approach to ways and means of maximizing the effectiveness of technical assistance in the future.

62. In concluding, the rapporteur for the workshop reiterated the importance of technical assistance as a main element of any effort to address crime prevention and criminal justice issues in the context of sustainable development and human security in an effective manner. However, he recalled that technical assistance activities were often assumed to be ineffective or inadequate and to fail to meet the deeper needs of recipient States. In that connection, and building upon recent developments at the national, regional and international levels, some of which were presented during the discussion, he stressed that consensus could be reached on the way forward and on the criteria that could be established and followed for enhancing the effectiveness of technical assistance. He further linked that issue to the general discussion on the revitalization of the role of the Commission on Crime Prevention and Criminal Justice and pointed out that consideration should be given to the perspective of making technical assistance a long-standing item on the agenda of the Commission. He also noted that it might be appropriate to work towards the "formalization" of

the above-mentioned criteria through the establishment of a set of guidelines for planning and implementing technical assistance, as well as for measuring its impact and effectiveness.

Chapter IV

Follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice

63. At its 5th meeting, on 26 April 2006, the Commission on Crime Prevention and Criminal Justice considered agenda item 5, entitled "Follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice". For its consideration of the item, the Commission had before it the report of the Secretary-General on follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice (E/CN.15/2006/7).

64. The Director of the Division for Treaty Affairs of UNODC made an introductory statement. The Commission also heard statements by the observer for Panama (on behalf of the Group of Latin American and Caribbean States), the representatives of Japan, the Republic of Korea, Canada, Thailand, the United States, the Libyan Arab Jamahiriya, Brazil and the Islamic Republic of Iran. Statements were also made by the observers for Liechtenstein, Algeria, Qatar and the Bolivarian Republic of Venezuela. The observers for the Penal Reform International, the World Society of Victimology and the Asia Crime Prevention Foundation also made statements.

A. Deliberations

65. The Director of the Division for Treaty Affairs expressed her sincere gratitude to Member States, participating organizations and experts for their commitment and hard work, which had made possible the success of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, held in Bangkok from 18 to 25 April 2005. She thanked in particular the host of the Eleventh Congress, the Government of Thailand, for the great efforts made in organizing the Congress and the wonderful hospitality. The Director noted the importance of follow-up to the Congress, in particular the Bangkok Declaration, adopted at the high-level segment of the Eleventh Congress, and drew the attention of participants to the report of the Secretary-General (E/CN.15/2006/7), in which possible options for follow-up were outlined, which had been discussed by the Commission at its fourteenth session.

66. Speakers expressed their profound appreciation for the hospitality, style and kindness with which participants at the Eleventh Congress had been received by the people and the Government of Thailand and its outstanding organization. They highlighted the importance of the recommendations of the Eleventh Congress in guiding the direction the international community should take with respect to crime prevention and criminal justice. The Bangkok Declaration manifested the shared political commitment to build a strategic alliance in crime prevention and criminal justice and speakers expressed appreciation for its approval by the Economic and Social Council and later endorsement by the General Assembly.

67. Some speakers noted the complementary roles of the congresses and the Commission. They emphasized that the revitalization of the Commission could not be discussed without recognizing the important contribution made by the congresses. Every five years the congresses brought together large groups from the

entire criminal justice community to examine long-term crime patterns and trends and to discuss the reactions of the international community, whereas the Commission, with its annual sessions, was the United Nations policymaking body in the field of crime prevention and criminal justice able to take practical and timely decisions, including on emerging crime-related matters.

68. Discussions took place with respect to the methodology to be used when reviewing the implementation of the Bangkok Declaration and some speakers made specific proposals on the issue of follow-up to it. While some felt that action plans and questionnaires should be prepared and administered by the Secretariat on priority aspects of the Declaration, the view was also expressed that the issuing of further questionnaires for completion by Member States would result in low response rates and, in turn, limit their value in analysing global efforts by Member States. Other speakers proposed instead to use the resolutions adopted by the Commission for implementation of the Declaration on specific issues of priority concern for the purpose of providing follow-up.

69. The Government of Thailand proposed as a way forward that an intergovernmental group of experts with equitable geographical representation be convened to discuss the best ways to operationalize the recommendations set forth in the Bangkok Declaration and to identify priority areas for UNODC. Many speakers expressed support for the Thai initiative. It was emphasized that the proposed group should also consider the issue of methodology for congress follow-up so as to set a clear standard practice for future congresses. At its next session the Commission would consider the outcome of the expert group. A number of speakers supported the proposal, noting that such an expert group could develop mechanisms for follow-up to forthcoming congresses. One speaker expressed the view that such an expert group might not be opportune as this should be a matter that the Commission should take up itself as soon as possible following the Eleventh Congress, preferably at its current or next session.

70. Representatives reported on national progress made with respect to implementation of the Bangkok Declaration. Particular reference was made to the ratification and implementation of the international instruments against transnational organized crime, corruption and terrorism. In that context, promoting international cooperation in criminal matters was identified as a critical issue to be addressed by Member States and the Commission. Representatives of many States reported on their efforts to promote international cooperation, in particular in extradition, mutual legal assistance and asset forfeiture, at the bilateral, regional and international levels. Increased cooperation between law enforcement agencies and financial intelligence units was also mentioned. Some speakers reported on training courses organized on specific aspects of the Declaration. The need for strong domestic efforts to protect and support victims and witnesses of crime was emphasized by several representatives, while others referred to their action to combat newly emerging forms of crime, such as cybercrime.

71. Many speakers emphasized that while States should continue their efforts to ratify the international legal instruments against transnational organized crime, corruption and terrorism, there was a need to put in place effective mechanisms for their implementation. In that regard many representatives underlined the importance of providing technical assistance to developing countries, countries with economies in transition and countries emerging from conflict, in order to build national

capacity to tackle problems related to crime. It was noted that UNODC needed to be furnished with the resources necessary to provide such assistance, in particular in support of ratification and implementation of the international instruments against transnational organized crime, corruption and terrorism.

72. The representative of Brazil and the observer for Qatar reiterated the offers by their respective Governments to host the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, to be held in 2010.

B. Action taken by the Commission

73. At its 10th meeting, on 28 April 2006, the Commission recommended to the Economic and Social Council the adoption of a revised draft resolution entitled "Follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice" (E/CN.15/2006/L.8/Rev.1), sponsored by Algeria, Australia, Brazil, Canada, Chile, China, Croatia, Finland, Germany, Oman, Peru, Qatar, the Republic of Korea, Romania, the Syrian Arab Republic, Thailand, Turkey and the United States. (For the text, see chapter I, section B, draft resolution VII.) Before the approval of the draft resolution, a representative of the Secretariat made a financial statement, the text of which is contained in annex II.

Chapter V

International cooperation in combating transnational crime

74. At its 5th and 6th meetings, on 26 April 2006, the Commission on Crime Prevention and Criminal Justice considered agenda item 6, entitled "International cooperation in combating transnational crime". For its consideration of the item, the Commission had before it the following documents:

(a) Report of the Secretary-General on the United Nations Convention against Transnational Organized Crime and the Protocols thereto (E/CN.15/2006/8);

(b) Report of the Secretary-General on the United Nations Convention against Corruption (E/CN.15/2006/9);

(c) Report of the Secretary-General on preventing, combating and punishing trafficking in human organs (E/CN.15/2006/10);

(d) Report of the Secretary-General on the study on fraud, the criminal misuse and falsification of identity and related crimes (E/CN.15/2006/11 and Corr.1);

(e) Note by the Secretariat transmitting the recommendations of the Second World Summit of Attorneys General and General Prosecutors, Chief Prosecutors and Ministers of Justice, held in Doha from 14 to 16 November 2005 (E/CN.15/2006/17);

(f) Note by the Secretary-General on the report of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime on its second session, held in Vienna from 10 to 21 October 2005 (E/CN.15/2006/19).

75. The Director of the Division for Treaty Affairs and the Deputy Executive Director, Director of the Division for Operations, of UNODC made a joint audio-visual introductory statement. The Executive Director of UNODC and the Prosecutor General of Colombia also made statements. The Commission heard statements by the representative of Austria (on behalf of the European Union) and by the observer for Panama (on behalf of the Group of Latin American and Caribbean States). The Commission also heard statements by the Vice-Minister of Justice of Cuba, as well as by the representatives of Germany, Indonesia, the Islamic Republic of Iran, Thailand, the Republic of Korea, Nigeria, Brazil, the Libyan Arab Jamahiriya, the Russian Federation, Bolivia, the United Kingdom and the United States. Statements were also made by the observers for Azerbaijan, Colombia, Croatia, Kuwait, Hungary, the Philippines, Turkey, Australia, Algeria, the Bolivarian Republic of Venezuela and France.

A. Deliberations

76. The Executive Director of UNODC presented to the Commission the *Counter-Kidnapping Manual* developed by the Office pursuant to General Assembly resolution 59/154 of 20 December 2004 and formally presented copies of the *Manual* to the Prosecutor General of Colombia, whose Government had contributed to the production and funding of the *Manual*. The Prosecutor General made a

statement in reply. A number of speakers welcomed the launching of the *Manual* as a practical tool to assist Member States in combating the scourge of kidnapping, as well as a demonstration of effective cooperation between the Office and Member States.

77. Concern was expressed at the continued growth of kidnapping and the need for international cooperation in countering it and for assistance to victims was stressed. In that connection, the work of UNODC on the matter, including the launch of the *Counter-Kidnapping Manual*, was highly appreciated.

1. United Nations Convention against Transnational Organized Crime

78. The Director of the Division for Treaty Affairs of UNODC highlighted progress made with regard to the United Nations Convention against Transnational Organized Crime over the past year, including the significant increase in the number of States parties and the 2005 World Summit Outcome (see General Assembly resolution 60/1).

79. Most speakers expressed their concern that transnational organized crime continued to pose serious threats to the international community and had multifaceted implications at the national, regional and international levels. With a view to effectively countering transnational organized crime, the need to strengthen international cooperation, as well as to address its root causes, was stressed.

80. Recognizing that the number of States parties to the Organized Crime Convention and its Protocols had grown significantly, the appeal was reiterated to States that had not yet done so to expeditiously ratify or accede to the Convention and its Protocols with a view to promoting their universal ratification. In that connection, several speakers informed the Commission of progress made towards ratification.

81. Many speakers also shared their experience in the fight against organized crime at the national and regional levels and reported on efforts made to bring their national legislation into compliance with the provisions of the Convention and its Protocols.

82. Noting the critical importance of providing technical assistance and building institutional capacity to enable developing countries and countries with economies in transition to ratify and implement fully the Organized Crime Convention and its Protocols, many speakers called for increased technical assistance in those areas. The representatives of some donor countries informed the Commission of technical assistance programmes that were already in place.

83. Several speakers expressed their appreciation for the work of UNODC in promoting the ratification and implementation of the Organized Crime Convention and its Protocols, in particular the tools developed by the Office. UNODC was requested to continue to provide, as a matter of priority, technical assistance with a particular emphasis on long-term capacity-building assistance. In that endeavour, further coordination with other intergovernmental and non-governmental organizations should be sought.

84. A number of speakers informed the Commission of action taken by their Governments to prevent and combat trafficking in persons, including the adoption of national strategies, programmes and policies, the establishment of national

mechanisms and the development of bilateral and regional frameworks and agreements against trafficking in persons. The need to address trafficking in persons from both the demand side and the supply side was also emphasized. In that connection, several speakers expressed their appreciation for the work of UNODC in promoting the ratification and implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Organized Crime Convention (General Assembly resolution 55/25, annex II), and also welcomed the publication in April 2006 of the report entitled *Trafficking in Persons: Global Patterns*.

85. One speaker stated that illegal logging and trafficking in timber had been detrimental to his country's ecology, people and economy and thus deserved serious consideration in connection with the implementation of the Organized Crime Convention. Concern was further expressed at the increase in drug trafficking by organized criminal groups and the need to strengthen international cooperation, including the provision of assistance to transit States, was stressed. With the alarming increase in trafficking in cultural property, one speaker called for the international community to prioritize the fight against trafficking in cultural property, recalling Economic and Social Council resolution 2004/34 of 21 July 2004, in which the Council requested the Secretary-General to convene an expert group meeting on protection against trafficking in cultural property, subject to the availability of extrabudgetary resources.

86. With a view to strengthening the role of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime as the review mechanism of the Convention and its Protocols, States were strongly encouraged to facilitate the participation of experts and practitioners in the forthcoming session of the Conference of the Parties, to be held from 9 to 18 October 2006. Several speakers also welcomed decision 2/6 of the Conference of the Parties, in which it had decided to establish an open-ended interim working group on technical assistance activities.

87. With regard to the relationship between the Commission on Crime Prevention and Criminal Justice and the Conference of the Parties, the view was expressed that each body had well-defined and specific mandates without duplication of work. Other speakers, however, stated that that was a matter requiring further consideration by the Commission, as well as by the Conference of the States Parties to the United Nations Convention against Corruption at its first session, to be held in December 2006.

2. United Nations Convention against Corruption

88. All speakers welcomed the entry into force of the United Nations Convention against Corruption on 14 December 2005 and expressed their confidence that implementation of the Convention would enable the international community to more effectively prevent corruption and detect, investigate and prosecute corruption-related offences, as well as recover and return assets derived from such offences. In that context, many speakers encouraged States that had not yet done so to expeditiously ratify or accede to the Convention and comply with it without delay.

89. A number of speakers announced that their States had taken internal steps to ratify the Convention and, in the near future, would join the ranks of States parties to it.

90. The importance of the first session of the Conference of the States Parties to the United Nations Convention against Corruption, to be held in December 2006, was underlined by several speakers. Some speakers recommended that extensive consultations be held in preparation of that first session. It was emphasized that, from its inception, the Conference should give priority to the establishment of a review mechanism pursuant to article 63 of the Convention, as well as to the related issue of technical assistance required by States in implementing the Convention. It was also stressed that the review of the implementation of the Convention by the Conference should be supportive of States and focus primarily on international cooperation. In view of the technical nature of the Convention's provisions, experts should be involved in the Conference, which should provide, among other things, a forum for the exchange of experience among bodies working to combat corruption. Noting the links between corruption and trafficking in persons, one speaker suggested that the matter be further explored by both the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption.

91. A number of speakers elaborated on implementing measures adopted or in the process of adoption at the national level: comprehensive laws to combat corruption, the introduction of new corruption-related criminal offences and the increase of the corresponding sanctions as well as measures to enhance the effectiveness and transparency of governance, such as measures to reform land registries, improve citizens' access to information, monitor the assets of certain categories of public official and exercise specific vigilance with regard to politically exposed persons.

92. Several speakers referred to the establishment of national bodies to combat corruption entrusted with preventive, investigative or prosecution functions or a combination of those functions, and to the enhancement of the role of financial intelligence units in detecting suspicious transactions involving the proceeds of corruption offences. Other speakers noted that, within their national systems, combating corruption was already part of the activities of various government offices and that the establishment of additional unified national bodies to combat corruption might not be the most efficient way of tackling the issue. The importance of coordination among such bodies was emphasized, and reference was made in that respect to the coordination mechanism established by the anti-corruption agencies of four States of the Association of Southeast Asian Nations.

93. Several speakers reported on national programmes to combat corruption and action plans adopted in their countries, in some instances with the support of UNODC.

94. References were made to regional initiatives and activities in the anti-corruption field, such as research on the scope of corruption and measures to combat it in South-Eastern Europe. Speakers also referred to the adoption of regional and bilateral agreements to strengthen extradition and mutual legal assistance in South-East Asia and to efforts to harmonize national legislation through the development of the Arab model law against corruption. Initiatives of the

European Union to combat corruption and financial crime were also reported on, such as the establishment of the European Anti-Fraud Office, responsible for internal and external administrative investigations into illegal activities affecting the Union's financial interests.

95. Some speakers emphasized the need for all States to strengthen domestic and international mechanisms to prevent the laundering of the proceeds of crime and to track, trace and recover such proceeds, including those derived from corruption and related offences.

96. Several speakers commended UNODC for its activities to promote the ratification and implementation of the Convention and invited the Office to continue to provide legal and technical assistance to requesting developing countries and countries with economies in transition, with a view to upgrading their legislation and building their capacity to implement the Convention. In that context, it was emphasized that, in order for technical assistance to have an impact, it needed to follow a long-term strategy and required sufficient financial support. Attention was also drawn to bilateral cooperation activities. One speaker highlighted the efforts of his country to support other countries, upon request, in strengthening democratic governance and countering corruption. Such support included capacity-building for economic and financial institutions as well as training of law enforcement authorities.

97. Several speakers called for appropriate preparations for the first session of the Conference of the States Parties to the United Nations Convention against Corruption, which would examine the most appropriate mechanisms to put in place to ensure the effective implementation of the Convention. The Secretariat was invited to arrange a timely process of open-ended consultations involving all Member States in the preparations for the upcoming session of the Conference.

3. Preventing, combating and punishing trafficking in human organs

98. The Deputy Executive Director, Director of the Division for Operations, of UNODC, referring to the report of the Secretary-General on preventing, combating and punishing trafficking in human organs (E/CN.15/2006/10), noted the efforts of responding States to regulate the transplantation of human organs and tissue and highlighted the increasing demand worldwide for that type of procedure. She noted that there was insufficient information on the phenomenon, though indications pointed to a growing black market in several regions of the world.

99. With regard to illicit trafficking in human organs, it was noted that such activities posed a significant threat to the health of human beings and infringed human rights. Mention was made of the report of the Secretary-General on the subject (E/CN.15/2006/10), which provided information on efforts to implement General Assembly resolution 59/156 of 20 December 2004, as well as information on relevant statistics, national legislation, practical experience and measures taken. It was noted that further work remained to be done in that area.

100. Speakers highlighted the fact that the increasing gap between high demand and limited supply was a principal reason for the considerable expansion of trafficking in human organs and international black markets. Given its clandestine nature, determination of the extent, the investigation and the detection of trafficking in human organs remained difficult tasks for Member States. It was reported that the

severe imbalance between the availability of and the demand for human organs underlined the need to establish an effective organ donation system that both protected citizens and promoted the lawful provision of organs for transplantation.

101. It was emphasized that there was a need for a more comprehensive approach to dealing with trafficking in human organs, including awareness-raising and education on the risks connected with trafficking, and the need to protect victims and witnesses. In particular, effective international cooperation, including efficient mutual legal assistance and extradition, was seen as crucial in combating and preventing illegal activities. It was noted that the Trafficking in Persons Protocol fell short of addressing the transfer of illegally removed human organs and tissues.

102. A number of speakers emphasized that there was a need to convene an expert group meeting to discuss further the issue of trafficking in human organs, including the possibility of drafting a model law to make trafficking in human organs a criminal offence and address related legal issues. In that context, one speaker noted that in all expert group meetings UNODC should concentrate on the criminal aspects of the problem, which lay within the mandate of the Office.

4. Fraud, the criminal misuse and falsification of identity and related crimes

103. In her introductory statement, the Director of the Division for Treaty Affairs referred to the ongoing process for conducting a study on fraud and the criminal misuse and falsification of identity (identity fraud), in accordance with Economic and Social Council resolution 2004/26 of 21 July 2004. The Director noted that the interim report of the Secretary-General submitted to the Commission (E/CN.15/2006/11 and Corr.1) presented the progress made over the past year in collecting the necessary information for the study and that the substantive report, containing the results and findings of the study, would be presented at the sixteenth session of the Commission, in accordance with resolution 2004/26.

104. Commenting on that issue, several representatives expressed their appreciation for the report and noted that the expected submission of more national responses to the relevant questionnaire drawn up by the Secretariat would ensure the availability of comprehensive material allowing a wide-ranging overview of the problems dealt with in the study. It was also stressed that the forthcoming third session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime could assist in achieving the objectives of the study, as the responses to be provided by Member States within the framework of the reporting mechanism established by the Conference could provide an additional source of information on the subject areas of the study, in particular on aspects related to identity fraud.

105. One representative expressed concern about the increasing impact of identity crime and noted that the use of false and stolen identities provided a means of committing a wide range of crimes, including smuggling of persons, fraud, money-laundering and terrorism. She referred to national initiatives aimed at developing and implementing an identity security strategy to combat the fraudulent use of stolen and assumed identities. Another speaker referred to ongoing efforts geared towards developing inter-agency and cross-sectoral coordination mechanisms at the national level to deal with issues related to fraud in a more concerted and effective manner.

106. One representative highlighted that the questionnaire disseminated to Member States was very detailed and that the time needed to complete it in full was probably too lengthy for those responding. In that connection, it was suggested that the research and the analysis of the national responses received should be more tightly focused on specific key issues.

B. Action taken by the Commission

107. At its 10th meeting, on 28 April 2006, the Commission recommended to the Economic and Social Council the approval of a revised draft resolution for adoption by the General Assembly entitled "International cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims" (E/CN.15/2006/L.14/Rev.1), sponsored by Afghanistan, Algeria, Bolivia, Chile, Colombia, Ecuador, France, Greece, Japan, the Libyan Arab Jamahiriya, Paraguay, Peru, the Philippines, Spain, the Syrian Arab Republic and the United States. (For the text, see chapter I, section A, draft resolution II.) Before the approval of the draft resolution, a representative of the Secretariat made a financial statement, the text of which is contained in annex III. Prior to approval of the draft resolution, the representative of Japan made a statement indicating that the Government of Japan understood the definition of "kidnapping" to include abduction and that the draft resolution would condemn kidnapping regardless of the entity that committed the offence. Japan was of the view that the Commission had sent a clear signal rejecting kidnapping no matter whether the offence was committed by an organized criminal group, individuals or any other kind of entity.

108. At the same meeting, the Commission recommended to the Economic and Social Council the adoption of a revised draft resolution entitled "International cooperation in the fight against corruption" (E/CN.15/2006/L.6/Rev.2), sponsored by Algeria, Argentina, Australia, Austria (on behalf of the European Union), Azerbaijan, Brazil, Bulgaria, Chile, China, Colombia, Croatia, Ecuador, Egypt, the former Yugoslav Republic of Macedonia, Indonesia, Iran (Islamic Republic of), Japan, the Libyan Arab Jamahiriya, Liechtenstein, Malaysia, Morocco, Nigeria, Norway, Peru, the Republic of Korea, Romania, the Russian Federation, South Africa, Switzerland, Thailand, Turkey, Ukraine and the United States. (For the text, see chapter I, section B, draft resolution V.) Before the approval of the draft resolution, a representative of the Secretariat made a financial statement, the text of which is contained in annex IV.

109. Also at the same meeting, the Commission recommended to the Economic and Social Council the adoption of a revised draft resolution entitled "Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking" (E/CN.15/2006/L.9/Rev.2), sponsored by Afghanistan, Algeria, Armenia, Australia, Austria (on behalf of the European Union), Brazil, Bulgaria, Canada, Chile, Colombia, Croatia, Ecuador, the former Yugoslav Republic of Macedonia, Japan, the Libyan Arab Jamahiriya, Liechtenstein, Mexico, Nigeria, the Philippines, the Republic of Korea, Romania, the Russian Federation, Switzerland, the Syrian Arab Republic, Thailand, Turkey and the United States. (For the text, see chapter I, section B, draft resolution VIII.) Before the approval of the draft resolution, a representative of the Secretariat made a financial statement, the text of which is contained in annex V. Also prior to the approval of

the draft resolution, the representatives of Japan and the Syrian Arab Republic made statements. The representative of Japan acknowledged the work of faith-based organizations in the field of the protection of victims of trafficking in persons. The representative of the Syrian Arab Republic also made a statement noting that, while his delegation fully supported the draft resolution, it was of the view that the venue to submit the draft resolution was the Conference of the Parties to the United Nations Convention against Transnational Organized Crime.

110. At the same meeting, the Commission recommended to the Economic and Social Council the adoption of a revised draft resolution entitled "Crime prevention and criminal justice responses to violence against women and girls" (E/CN.15/2006/L.13/Rev.1), sponsored by Afghanistan, Algeria, Angola, Australia, Austria (on behalf of the European Union), Brazil, Bulgaria, Canada, Chile, Ecuador, the Libyan Arab Jamahiriya, Liechtenstein, Nigeria, the Philippines, Romania, South Africa, Switzerland, the Syrian Arab Republic and Thailand. (For the text, see chapter I, section B, draft resolution XI.) Before the approval of the draft resolution, a representative of the Secretariat made a financial statement, the text of which is contained in annex VI.

111. Also at the same meeting, the Commission considered a revised draft resolution entitled "International cooperation in preventing and combating international trafficking in timber and timber products from illegal logging" (E/CN.15/2006/L.10/Rev.2), sponsored by Australia, Indonesia, Paraguay, the Philippines and Thailand, and in the absence of a consensus decided to consider it further at its next session. The representative of Indonesia made a statement expressing regret and surprise that after four days of intensive consultations on the draft resolution, when the Committee of the Whole was about to approve it, one delegation had raised strong reservations against its adoption and requested more time for consulting its capital. In order to preserve the "Vienna spirit of consensus", Indonesia had proposed to defer consideration of the draft resolution and to seek its adoption at the next session in order to allow the delegation of Brazil to consult further with its capital. The representative of Indonesia requested that the draft resolution contained in document E/CN.15/2006/L.10/Rev.2 and reference to its statement be included in the report of the fifteenth session of the Commission. A number of delegations supported the proposal to include the draft resolution in the report of the Commission and to continue its consideration and seek its adoption at the next session, taking into account the progress achieved thus far. (For the text of the draft resolution, see annex VII.)

Chapter VI

Strengthening international cooperation and technical assistance in preventing and combating terrorism

112. At its 7th and 8th meetings, on 27 April 2006, the Commission on Crime Prevention and Criminal Justice considered agenda item 7, entitled "Strengthening international cooperation and technical assistance in preventing and combating terrorism". For its consideration of the item, the Commission had before it the report of the Secretary-General on strengthening international cooperation and technical assistance in promoting the implementation of the universal conventions and protocols related to terrorism within the framework of the activities of UNODC (E/CN.15/2006/12).

113. The Director of the Division for Treaty Affairs of UNODC made an introductory statement. The Commission heard statements by the representative of Austria (on behalf of the European Union) and the observer for Panama (on behalf of the Group of Latin American and Caribbean States). The Commission also heard statements by the representatives of Indonesia, the Islamic Republic of Iran, Japan, Pakistan, Egypt, Brazil, Canada, Armenia, Saudi Arabia, the United States, China, Cuba, the Republic of Korea, the Russian Federation and Mexico. Statements were also made by the observers for Croatia, Azerbaijan, Algeria, El Salvador, Morocco, the Bolivarian Republic of Venezuela, the Syrian Arab Republic, Argentina, Turkey, Afghanistan, France, Australia, Sri Lanka and Sao Tome and Principe. The observers for the Japan Federation of Bar Associations, Penal Reform International, SOS Attentats, International Centre for Criminal Reform and Criminal Justice Policy and the Asia Crime Prevention Foundation also made statements.

A. Deliberations

114. In her introductory statement, the Director of the Division for Treaty Affairs noted the major substantive developments and reinforced counter-terrorism mandates of UNODC. She stressed the importance of the Commission in providing clear mandates and guidance on the criminal justice aspects of counter-terrorism. She referred to the work of the Terrorism Prevention Branch of her Division in assisting countries to develop sustainable capacity to effectively implement the provisions of the universal legal framework against terrorism. She conveyed the determination of the Office, in pursuance of result-based programme management, to deliver predetermined results that would have the desired long-term effect of strengthening the legal regime against terrorism.

115. Speakers expressed their condolences to the victims of the recent terrorist attacks in Dahab, Egypt, and in many other countries. Some speakers highlighted that terrorism had become an unpredictable and omnipresent phenomenon that could strike at any place and at any time.

116. Speakers identified terrorism as one of the most serious challenges facing mankind and condemned it in all its forms and manifestations. Speakers noted that terrorism had a negative effect on security, development and prosperity and threatened to undermine the core values that the United Nations aimed to uphold.

including the rule of law, respect for human rights, protection of civilians, tolerance among peoples and nations and the peaceful resolution of conflict.

117. Speakers stressed the importance of the efforts of the international community and the United Nations to address terrorism and supported the adoption of a comprehensive United Nations strategy to respond to the challenge in line with the recommendations of the High-level Panel on Threats, Challenges and Change, and the Secretary-General, in his report entitled "In larger freedom: towards development, security and human rights for all" (A/59/2005), especially the five pillars: to dissuade disaffected groups from choosing terrorism as a tactic to achieve their goals; to develop state capacity to prevent terrorism; to deter States from supporting terrorists; to deny terrorists the means to carry out their attacks; and to defend human rights in the struggle against terrorism. It was emphasized that the enhancement of the role of the United Nations in capacity-building and providing technical assistance should be placed among the most important elements of such a strategy. Speakers also highlighted that the 2005 World Summit Outcome specifically acknowledged the important role played by the United Nations in combating terrorism and promoting regional and bilateral cooperation, including the importance of technical assistance. Several speakers noted that they looked forward to the Secretary-General's proposals for enhanced elements of a comprehensive global counter-terrorism strategy.

118. Several speakers welcomed the adoption by the General Assembly of the International Convention for the Suppression of Acts of Nuclear Terrorism (resolution 59/290, annex) as well as the recently adopted Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, Protocol of 2005 to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf,[86] and the amendment of 2005 to the Convention on the Physical Protection of Nuclear Material,[87] which reinforced the existing legal framework created by the universal instruments against terrorism.

119. The need to complete the work on the draft comprehensive convention on international terrorism was highlighted by several speakers. It was pointed out that, in the context of its negotiation, an agreed definition of terrorism would contribute to the fight against international terrorism. Some speakers emphasized the need for such a definition to differentiate terrorism from the legitimate struggle of people against foreign occupation in order to acquire the right to self-determination.

120. Several speakers underlined the importance of upholding the rule of law and respect for human rights in the fight against terrorism. It was also noted that any effective and sustainable response to terrorism needed to recognize the principles of international humanitarian law and refugee law.

121. Speakers emphasized that international cooperation, especially extradition and mutual legal assistance, was crucial to any effort to prevent and combat terrorism. Sharing of information and good practices was seen as vital. In that context, one speaker mentioned the importance of promoting regional and subregional

[86] United Nations, *Treaty Series*, vol. 1678, No. 29004.
[87] Ibid., vol. 1456, No. 24631.

cooperation, especially information exchange between law enforcement and border control entities.

122. Many speakers underlined the central role of the United Nations in the fight against terrorism and in promoting international cooperation. They noted the important work being carried out by the Counter-Terrorism Committee, established by the Security Council in its resolution 1373 (2001) of 28 September 2001, and its Executive Directorate. Most speakers highlighted the complementarity and the high value of the technical assistance delivered by the Terrorism Prevention Branch of UNODC, which had become the United Nations primary provider of technical assistance on the legal and related aspects of counter-terrorism. Speakers expressed appreciation and support for the work of the Branch in assisting States in becoming parties to and implementing the relevant universal instruments related to terrorism, including by strengthening and improving their national crime prevention and criminal justice capabilities and reinforcing international cooperation. They called for further reinforcement of those efforts. One speaker noted the importance of maintaining the current focus of the Branch, which complemented the work of the Counter-Terrorism Committee. Some speakers also noted that UNODC should coordinate its efforts in post-conflict reconstruction with the Department of Peacekeeping Operations.

123. Speakers expressed support for the assistance provided by UNODC to States in reviewing domestic legislation and procedures and strengthening capacity to implement laws, rules and procedures. Many speakers expressed appreciation for the technical assistance tools developed by UNODC, including the various legislative guides, training manuals and electronic legal resources. The provision of such tools was recognized as a crucial component of a sustainable capacity-building approach.

124. Some speakers noted the links that existed between terrorism and other forms of crime, in particular the use of criminal activities to generate funds for terrorist acts. While some speakers recognized the links in certain cases, others were of the view that the phenomenon could not be automatically or necessarily linked, because terrorism, conventional crime and organized crime often had differing underlying motivations. Some speakers cautioned that tools developed to fight terrorism were not necessarily appropriate to address or suppress other forms of criminal activity.

125. Some speakers emphasized that a terrorism prevention strategy also needed to address the root causes and risk factors of terrorism, such as poverty, inequality, religious intolerance and double standards. They also noted the importance of enhancing dialogue among civilizations and cultures, promoting tolerance and preventing indiscriminate targeting of different religions, cultures or ethnic groups, and that terrorism should in no case be linked to any religion as that would only aid the terrorists' cause.

126. Some speakers recalled the financial and other contributions of their States to support the work of the Branch, while others stated their intention to provide additional funding. Many speakers called upon the international community and donors to provide additional financial resources for the Terrorism Prevention Branch, especially in view of the need to expand the scope of its activities to meet increasing requirements of States for the implementation of the instruments.

127. Several speakers noted the record of their Governments in ratifying existing universal and regional instruments related to terrorism and made reference to specific measures undertaken, including national, subregional and regional workshops that had been held to assist in ratification and implementation of the instruments. They also referred to the process of bringing national legislation into compliance with international standards for the implementation of the ratified instruments and taking into full consideration the requirements of Security Council resolution 1373 (2001). Legislative measures adopted included the criminalization of new offences, enhancing capacity to prevent, prosecute and sanction terrorist acts and introducing specific steps to identify the financing of terrorism, including new provisions for the seizure and confiscation of funds. Other measures included the creation of specialized counter-terrorism bodies, inter-agency coordination mechanisms and capacity-building in police, customs and intelligence agencies to respond effectively to the threat of international terrorism. Most speakers also made reference to other legislative and institutional measures that had been taken, such as enacting and amending national laws, establishing specialized counter-terrorism bodies and building capacity.

128. In his concluding remarks, the Chief of the Terrorism Prevention Branch reiterated that the mandate and efforts of the Branch remained fully focused on assisting Member States with the ratification and implementation of the universal legal instruments related to terrorism, as established under the guidance of the Commission; assured the Commission that full coordination and cooperation was being sought with the Counter-Terrorism Committee and its Executive Directorate and other relevant United Nations entities on counter-terrorism; and stressed that the Branch specifically sought to promote full compliance of counter-terrorism measures with the rule of law. He also expressed gratitude for the ongoing support of Member States for the work of the Branch.

B. Action taken by the Commission

129. At its 10th meeting, on 28 April 2006, the Commission recommended to the Economic and Social Council the adoption of a revised draft resolution entitled "International Permanent Observatory on Security Measures during Major Events" (E/CN.15/2006/L.11/Rev.1), sponsored by Australia, Austria (on behalf of the European Union), Bulgaria, Canada, Ecuador, Japan, the Libyan Arab Jamahiriya, Peru, Romania, Turkey and the United States. (For the text, see chapter I, section B, draft resolution IX.) Before the approval of the draft resolution, a representative of the Secretariat made a financial statement, the text of which is contained in annex VIII.

Chapter VII

Use and application of United Nations standards and norms in crime prevention and criminal justice

130. At its 8th meeting, on 27 April 2006, the Commission on Crime Prevention and Criminal Justice considered agenda item 8, entitled "Use and application of United Nations standards and norms in crime prevention and criminal justice". For its consideration of the item, the Commission had before it the following documents:

(a) Report of the Secretary-General on United Nations standards and norms in crime prevention and criminal justice (E/CN.15/2006/13 and Corr.1);

(b) Report of the Secretary-General on protection against trafficking in cultural property (E/CN.15/2006/14);

(c) Report of the Secretary-General on combating the spread of HIV/AIDS in criminal justice pre-trial and correctional facilities (E/CN.15/2006/15);

(d) Report of the Intergovernmental Expert Group Meeting to develop an information-gathering instrument on standards and norms primarily related to crime prevention, held in Vienna from 20 to 22 March 2006 (E/CN.15/2006/CRP.1).

131. The Director of the Division for Treaty Affairs and the Deputy Executive Director, Director of the Division for Operations, of UNODC made a joint introductory statement. The Commission also heard statements by the representative of Austria (on behalf of the European Union) and by the observer for Panama (on behalf of the Group of Latin American and Caribbean States). The Commission also heard statements by the representatives of Canada, the Libyan Arab Jamahiriya, Germany, Egypt and the United States. Statements were also made by the observers for Azerbaijan, Algeria, Sweden and Australia. The observers for the World Society of Victimology and the American Society of Criminology also made statements.

A. Deliberations

132. The Director of the Division for Treaty Affairs presented the report of the Secretary-General on United Nations standards and norms in crime prevention and criminal justice (E/CN.15/2006/13 and Corr.1), which contained an analysis of the replies received from Governments on the use and application of the standards and norms related primarily to persons in custody, non-custodial measures and juvenile and restorative justice. She stressed that the analysis of the replies received showed that while certain standards and norms, such as the Standard Minimum Rules for the Treatment of Prisoners[88] or those related to juvenile justice, were generally known by the majority of the responding Member States and were incorporated at the national level, those related to non-custodial measures and restorative justice were

[88] *First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Geneva, 22 August-3 September 1955: report prepared by the Secretariat* (United Nations publication, Sales No. 1956.IV.4), annex I.A; and Economic and Social Council resolution 2076 (LXII).

less familiar. The replies received further showed that there might be limited awareness about the possibility of receiving technical assistance on the use and application of standards and norms.

133. She also referred to Economic and Social Council resolution 2004/34 on protection against trafficking in cultural property and the request included therein for the convening, subject to the availability of funds, of an expert group meeting to explore and assess the challenges posed and the difficulties encountered in the fight against trafficking in cultural property, noting that the Secretariat was consulting with interested Governments to secure the necessary funding to that effect and renewing the appeal to Member States to consider making voluntary contributions towards the organization of such a meeting.

134. The Director of the Division for Operations drew attention to the continuing spread of HIV/AIDS in pre-trial and correctional facilities. As a co-sponsor of the Joint United Nations Programme on HIV/AIDS (UNAIDS) and in its capacity as the lead agency for matters referring to HIV/AIDS in prisons, UNODC offered a range of expertise and services to requesting States in order to improve the situation for HIV/AIDS prevention, care and support in pre-trial and correctional facilities. The Director outlined the expanding programme of technical assistance offered by UNODC, highlighting in particular advisory missions, the provision of opportunities for policy debate, the development of training materials and training seminars and the provision of support for national efforts to implement specific projects.

135. Some speakers expressed their support for the role played by United Nations standards and norms in crime prevention and criminal justice in strengthening the criminal justice system of States, in particular those of developing countries and countries with economies in transition, as well as in post-conflict situations. One representative stated that one of the key prerequisites to preventing and fighting transnational organized crime, terrorism or corruption was the existence of a fair, efficient and effective criminal justice system, based on the rule of law and staffed by personnel properly trained in standards and norms in crime prevention and criminal justice.

136. A number of speakers reported on the measures taken by their States to implement the standards and norms through national legislation and training of judicial and law enforcement officers. In that regard, particular reference was made to the Standard Minimum Rules for the Treatment of Prisoners and the Tokyo Rules, as well as the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century (General Assembly resolution 55/59, annex) and the Bangkok Declaration. One speaker stated that developing countries suffered from a dearth of means to implement United Nations standards and norms and called for technical and financial assistance to ensure the widest implementation of those instruments. In particular, he stressed the importance of the Round Table for Africa, held in Abuja on 5 and 6 September 2005, and urged the international community to provide financial resources to allow the implementation of the Programme of Action, 2006-2010, adopted at that meeting.

137. A number of speakers welcomed the periodic review of selected standards and norms undertaken by the Commission on Crime Prevention and Criminal Justice as a process allowing for the exchange of information among States on the use and applications of standards and norms and the identification of areas in which new

instruments were needed. However, some speakers expressed concern that Governments were often overburdened by many and detailed questionnaires and therefore called for a rationalization of the information-gathering requests sent to Member States. One speaker noted the importance of convening intergovernmental expert group meetings to develop standards and norms and draft survey instruments, but cautioned that the deliberations of such expert groups should be seen as informing rather than replacing consultations by Governments. In that regard, the speaker stressed the fact that Governments, especially those with federal systems, required adequate time to consult properly with state or provincial governments having constitutional responsibility for much of the criminal justice system.

138. One speaker welcomed the work done in the field of crime prevention by the Commission and noted that it was time to intensify the crime prevention work of the Commission and that the development of effective crime prevention strategies could contribute significantly to the reduction of crime and victimization. Crime prevention should be a natural and integral component of technical assistance programmes provided to Member States, which should draw on knowledge-based recommendations and best practices. In that context, Member States, UNODC and other interested entities were invited to participate in the Stockholm Criminology Symposium, to be held in Stockholm from 15 to 17 June 2006.

139. One observer stressed the importance of addressing the needs of victims and recalled that the Commission was committed to the prevention of victimization and the promotion of principles of justice for victims. In that connection, she invited Member States to organize an intergovernmental expert group meeting to prepare actionable recommendations on how best to implement United Nations standards and norms on victims.

140. Another observer expressed support for the Guidelines for the Prevention of Crime (Economic and Social Council resolution 2002/13, annex) and further announced that her organization, together with the Alliance of Non-Governmental Organizations at United Nations Headquarters and members of the United Nations Crime Prevention and Criminal Justice Programme network, had started the preparation of a report on how to make the Guidelines work, which would be an in-kind technical assistance contribution to the crime prevention activities of UNODC.

141. Many representatives noted that there had been a vast increase in theft and trafficking in all types of art and antiquities with the potential for denuding entire cultures and nations of their cultural heritage. Several representatives also expressed alarm at the increasing involvement of organized criminal groups in the theft of and trafficking in cultural property.

142. Other representatives provided information on the legislative and administrative measures taken at the national level to combat trafficking in cultural property, including training of staff and sharing of information among the agencies involved in the fight against that criminal activity. It was pointed out, in that connection, that appropriate domestic action should combine both law enforcement and preventive measures, including monitoring of registered cultural objects. One representative also stressed the need for the provision of technical assistance to States lacking the necessary capacity to deal effectively with the problem.

143. Several representatives stressed the importance of strengthening international cooperation to combat trafficking in cultural property in view of its transnational

nature. In that connection, some speakers referred to the need for further promoting and effectively implementing the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, as well as the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two protocols. Reference was also made to the Cairo Declaration on the Protection of Cultural Property, made at the international conference held on the occasion of the fiftieth anniversary of the 1954 Convention, held in Cairo in 2004, as an additional manifestation of the political will of Member States to promote effective action at both the national and the international level in order to ensure better protection of cultural property.

144. Many speakers considered the convening of the expert group meeting on protection against trafficking in cultural property as a necessary initiative geared towards assessing the substantial parameters of the problem in a more comprehensive manner and making recommendations on the adoption of appropriate legislative and administrative measures to curb the phenomenon effectively.

145. While remaining alarmed at the continuing spread of HIV/AIDS in pre-trial and correctional facilities, a number of speakers expressed support for the work being carried out by UNODC in that area. Many speakers also noted that UNODC was well placed to offer a broad range of expertise and services to respond to increasing requests for technical assistance. Attention was further drawn to the special needs of vulnerable groups, such as incarcerated women, children and youth. In view of the fact that UNAIDS and other United Nations entities were also providing technical assistance in the area of HIV/AIDS prevention, UNODC was further encouraged to continue work within its mandate.

146. In order to limit the spread of the pandemic, several speakers recognized that efforts were needed to reduce prison overcrowding and to curb violence. In that regard, activities and educational programmes were being made available by some States to provide an environment conducive to a culture of non-violence.

147. Several representatives welcomed the work done by UNODC in implementing Economic and Social Council resolution 2004/35 of 21 July 2004, as well as the recommendations of the Global Task Team on improving AIDS coordination among multilateral donors and international donors. Acknowledging the importance of coordinating and streamlining the global response to HIV/AIDS, many speakers expressed full support for the identification of UNODC as the lead United Nations agency for addressing HIV/AIDS in prisons, as well as addressing HIV/AIDS as it related to trafficking in persons.

148. The importance of providing prisoners with access to prevention, treatment and care services and health education, as well as providing training for prison staff, was further emphasized.

149. One representative highlighted the ongoing national efforts for criminal justice reform, including specific measures for addressing the situation of HIV/AIDS in prison settings, as well as prevention, care and treatment initiatives. It was further noted that national legislation provided for a range of options for addressing prison overcrowding.

150. Another representative made reference to the Programme of Action, 2006-2010, for Africa, noting that the management of infectious diseases such as

HIV could only be achieved through the implementation of a range of prevention, treatment and harm reduction strategies. The control and management of infectious diseases in correctional facilities was essential in order to protect the health of inmates, staff and ultimately the community. One representative also expressed support for the Programme of Action as a way of enhancing national capacity in a number of areas, including responding to HIV/AIDS in prisons.

151. Recalling the linkages between injecting drug use and the spread of HIV/AIDS, one representative reiterated the need for education and prevention programmes, access to HIV testing and treatment and training of prison personnel.

152. The need for preventive approaches and the role of non-governmental organizations in crime prevention and aspects of criminal justice initiatives were recognized, for example, the Regional Crime Prevention Forum for Non-Governmental Organizations from Central and Eastern Europe, held in Vienna on 27 and 28 October 2005, was welcomed.

B. Action taken by the Commission

153. At its 10th meeting, on 28 April 2006, the Commission recommended to the Economic and Social Council the adoption of a revised draft resolution entitled "United Nations standards and norms in crime prevention" (E/CN.15/2006/L.2/Rev.2), sponsored by Argentina, Austria (on behalf of the European Union), Bulgaria, Canada, Chile, Costa Rica, Croatia, India, the Libyan Arab Jamahiriya, Morocco, Nigeria, Panama, South Africa, Thailand, Turkey and Ukraine. (For the text, see chapter I, section B, draft resolution I.) Before the approval of the draft resolution, a representative of the Secretariat made a financial statement, the text of which is contained in annex IX.

154. At the same meeting, the Commission recommended to the Economic and Social Council the adoption of a revised draft resolution entitled "Implementation of the Programme of Action, 2006-2010, on strengthening the rule of law and the criminal justice systems in Africa" (E/CN.15/2006/L.3/Rev.1), sponsored by Austria (on behalf of the European Union), Bulgaria, Canada, Kenya (on behalf of the States members of the United Nations that are members of the Group of African States), Turkey and the United States. (For the text, see chapter I, section B, draft resolution II.) Before the approval of the draft resolution, a representative of the Secretariat made a financial statement, the text of which is contained in annex X.

155. Also at the same meeting, the Commission recommended to the Economic and Social Council the adoption of a revised draft resolution entitled "Providing technical assistance for prison reform in Africa and the development of viable alternatives to imprisonment" (E/CN.15/2006/L.4/Rev.1), sponsored by Austria, Kenya (on behalf of the Group of African States) and Switzerland. (For the text, see chapter I, section B, draft resolution III.) Before the approval of the draft resolution, a representative of the Secretariat made a financial statement, the text of which is contained in annex XI.

156. At the same meeting, the Commission recommended to the Economic and Social Council the adoption of a revised draft resolution entitled "Strengthening basic principles of judicial conduct" (E/CN.15/2006/L.5/Rev.1), sponsored by

Egypt, France, Germany, Greece, Nigeria, Oman, the Philippines and Switzerland. (For the text, see chapter I, section B, draft resolution IV.) Before the approval of the draft resolution, a representative of the Secretariat made a financial statement, the text of which is contained in annex XII.

157. Also at the same meeting, the Commission recommended to the Economic and Social Council the adoption of a revised draft resolution entitled "Strengthening the rule of law and the reform of criminal justice institutions, including in post-conflict reconstruction" (E/CN.15/2006/L.7/Rev.1), sponsored by Australia, Austria (on behalf of the European Union), Bulgaria, Canada, Croatia, Japan, Liechtenstein, Norway and Switzerland. (For the text, see chapter I, section B, draft resolution VI.) Before the approval of the draft resolution, a representative of the Secretariat made a financial statement, the text of which is contained in annex XIII.

Chapter VIII

Strategic management and programme questions

158. At its 9th meeting, on 28 April 2006, the Commission on Crime Prevention and Criminal Justice considered agenda item 9, entitled "Strategic management and programme questions". For its consideration of the item, the Commission had before it the following documents:

(a) Report of the Secretary-General on strengthening the role of the Commission on Crime Prevention and Criminal Justice (E/CN.15/2006/16 and Corr.1);

(b) Note by the Secretariat on the nomination of a member of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/2006/18);

(c) Note by the Secretary-General on the report of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime on its second session, held in Vienna from 10 to 21 October 2005 (E/CN.15/2006/19);

(d) Appointment of a member of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/2006/L.1/Add.6).

159. The Chairman of the Commission and the Director for Treaty Affairs and the Director for Policy Analysis and Public Affairs of UNODC made introductory statements. Statements were made by the representatives of Austria (on behalf of the European Union), the observer for Panama (on behalf of the Group of Latin American and Caribbean States), the representatives of Japan, Nigeria, the United States, Canada, Thailand, the Libyan Arab Jahamahiriya, the Russian Federation, China, the Islamic Republic of Iran, Egypt and Brazil. The observers for Argentina, Algeria and Australia also made statements. A statement was also made by the observer for the International Scientific and Professional Advisory Council.

A. Deliberations

160. In his introductory statement, the Chairman of the Commission referred to the appointment of a member of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute and drew attention to the issue of the revitalization of the Commission that had been discussed at the intersessional meetings of the Commission leading up to the fifteenth session and at the informal pre-session consultations held on 21 April 2006. He summarized the main points that had been singled out for attention by the Commission at its fifteenth session, namely: (a) entrusting the Commission with authority to approve the budget of the United Nations Crime Prevention and Criminal Justice Fund; (b) the role of the Commission as the principal policymaking body of the United Nations in the field of crime prevention and criminal justice and, in that connection, the relationship among the Commission, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption; and (c) further enhancing the methods of work of the Commission.

161. The Director of the Division for Treaty Affairs highlighted the recommendations on revitalization of the Commission contained in the report of the Secretary-General on strengthening the role of the Commission on Crime Prevention and Criminal Justice (E/CN.15/2006/16 and Corr.1), noting that the Commission had to exercise its dual mandated functions of being the principal policymaking body of the United Nations in the field of crime prevention and criminal justice and in identifying emerging areas of concern to the international community, taking action to formulate policy and provide guidance to the international community and taking into account the mandates and roles of the Conferences of the Parties to the United Nations Convention against Transnational Organized Crime and to the United Nations Convention against Corruption. She noted that consideration should also be given to ways of facilitating closer cooperation between the Commission on Crime Prevention and Criminal Justice and the Commission on Narcotic Drugs and that the former might wish to consider ways of achieving greater participation of experts from Member States and a more active participation by United Nations funds, programmes, other entities of the United Nations system, the Bretton Woods institutions and civil society. The draft provisional agenda for the sixteenth session had been revised to reflect required changes arising from the ongoing process of revitalization, including changes to enable the Commission to exercise its authority over the budget of the United Nations Crime Prevention and Criminal Justice Fund as envisaged in the related draft resolution. She added that the Commission could sharpen further the substantive focus of its agenda and could examine means of further strengthening its intersessional work and facilitating the timely submission of draft proposals.

162. The Director of the Division for Policy Analysis and Public Affairs presented progress made in drawing up the UNODC overarching strategy and informed the Commission that the next phase would include consultations with non-governmental organizations. The end goal of the strategy was to help identify the choices that would need to be made to establish the priorities of the Office. The function, objectives and expected outcomes of the strategy were also outlined.

163. Several delegations welcomed ongoing efforts to strengthen the role of the Commission and, in particular, the granting to it of the power to approve the budget of the United Nations Crime Prevention and Criminal Justice Fund. Providing the Commission with that authority followed the logic of preparing a consolidated budget for UNODC and put the Commission on an equal footing with the Commission on Narcotic Drugs. That action should also translate into more policy guidance to the crime programme of UNODC and allow the Commission to become more relevant with regard to the work of the Office. One speaker expressed the wish that the Commission be provided with an annual financial report on the United Nations Crime Prevention and Criminal Justice Fund. Some delegations stressed that the new budgetary authority of the Commission would be without prejudice to the budgetary powers of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the future Conference of the States Parties to the United Nations Convention against Corruption.

164. A number of delegations elaborated on the relationship between the Commission and the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption. They were in favour of each

body having well defined areas of competence and avoiding duplication of efforts, while striving for complementarity. To that end, adequate coordination and communication should be maintained between the three bodies, as well as an exchange of experts and the taking into account by each body of the other entity's reports. The review by practitioners at the two Conferences of the practical implementation and impact of the two crime conventions would also assist the Commission in its overall analytical task concerning its role as the principal policymaking body of the United Nations in the field of crime prevention and criminal justice. Some delegations expressed the view that technical cooperation issues relating to transnational organized crime and corruption should be reserved to the two Conferences in order to allow the Commission to examine the overall crime prevention and criminal justice sector in an integrated manner. In addition, the Commission could concentrate on core issues of standards and norms, the rule of law, new and emerging forms of crime, restorative and juvenile justice, technical assistance and capacity-building in developing countries. In the view of other delegations, the normative function was only one of many functions of the Commission. Other pressing concerns in the field of crime prevention and criminal justice needed to be addressed by the Commission, which also acted as a forum for the exchange of information and experience. In that respect, Member States were encouraged to participate actively in the substantive deliberations at the sessions of the Commission under the various agenda items.

165. In the view of some delegations, intersessional meetings could be utilized more effectively, for example to discuss the budget or to prepare for the thematic discussion through open-ended working groups. Other delegations were of the opinion, however, that intersessional meetings should not be used to take decisions on substantive matters. The Commission itself, rather than intersessional meetings, should select the substantive themes of focus for its upcoming sessions. One speaker was in favour of having more meetings of intergovernmental experts on specific issues to better prepare for the yearly substantive discussions held during the sessions of the Commission.

166. One speaker observed that Member States were experiencing questionnaire fatigue. A more ingenious approach by the Commission to the gathering of information from Member States was needed. It was suggested that a working group could review the mandates that had given rise to the various questionnaires with a view to making proposals to the Commission on the possible streamlining of the process of gathering information from Member States.

167. The timely submission and discussion of draft resolutions, including at informal pre-session consultations, was seen by many delegations as contributing to improving the working methods of the Commission and, in that context, having fewer and more focused draft resolutions relevant to the themes of the session was perceived as a possible way to further improve working methods.

168. Several representatives were in favour of maintaining the current duration of the sessions of five days, as a focused and streamlined agenda would allow for efficient completion of the work of the Commission in that time. Two representatives expressed the view that the duration of the session should be determined by the substantive content of the agenda. In their view, the current five-day session did not allow for a meaningful debate on substantive issues in plenary by government experts.

169. One representative presented a paper (see annex XIV), which had received prior support from several other delegations, linked to the revitalization of the Commission and entailing a restructuring and reformatting of the draft provisional agenda for the sixteenth session to be considered by the Commission under agenda item 10. The proposal was designed to ensure greater involvement by experts and practitioners in the session, provide adequate follow-up to the crime congresses and better address the relationship between the Commission and the Conferences of the Parties to the crime conventions. The proposal presumed a five-day session, preceded by a day of informal pre-session consultations. It was also expected that the Commission would meet in a reconvened session to review the biennial budget of the United Nations Crime Prevention and Criminal Justice Fund. Several representatives expressed support in principle for the proposal, which was seen as an effort to rationalize and focus discussion at the sessions of the Commission, and noted that there was value in discussing it further under agenda item 10.

170. One representative, speaking on behalf of a group of States, referred to the recommendations contained in the report of the Secretary-General on mandating and delivering: analysis and recommendations to facilitate the review of mandates (A/60/733) on the merging of the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice and of their two funds. While the group had supported the integration of the former Centre for International Crime Prevention and the United Nations International Drug Control Programme into a single entity, UNODC, it did not support questioning the identity and the distinct mandates of the drug and crime programmes of UNODC and, respectively, of their two governing bodies and corresponding funds, a view reiterated by other representatives who referred to the subject and who considered that the best way to produce targeted results was to keep the two Commissions separate and focused on their respective mandates. In addition, one speaker believed that the two Commissions should meet with a sufficient time interval in between, as holding sessions in consecutive weeks would stretch the resources of the Secretariat even further and reduce the quality of work. Other speakers expressed the view that the matter of enhancing cooperation between the two Commissions should be pursued further.

171. A number of representatives urged UNODC to continue the process of management and operational reform, as good governance, communication, accountability and transparency were the key to enhanced and sustainable programme delivery. By the same token, great importance was attached to the result-based budgeting and management that was being introduced in the Office. Measures adopted by UNODC to enhance efficiency and reduce the burden on the support budget were also recognized and efforts to ensure adequate, predictable and stable funding should continue. Member States were urged to increase their support to the Office, including through provision of general-purpose funds. One speaker underlined that partnerships and synergies with other international entities active in areas related to crime prevention were important in increasing the funding of programmes.

172. A number of speakers welcomed the progress made in the definition of an overarching strategy for UNODC, as well as in the introduction of result-based budgeting and management. Those efforts were to be placed in the context of the general reform of the United Nations, the 2005 World Summit Outcome and related

reports of the Secretary-General. It was felt that the UNODC strategy would have a beneficial effect on the long-term effectiveness of the crime programme. One speaker noted that the strategy should focus on core mandates of UNODC and be made operational in due course.

B. Action taken by the Commission

173. At its 9th meeting, on 28 April 2006, the Commission on Crime Prevention and Criminal Justice unanimously recommended to the Economic and Social Council the appointment of Michèle Ramis-Plum (France) to the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute. (For the text of the draft decision, see chapter I, section C, draft decision II.)

Chapter IX

Provisional agenda for the sixteenth session of the Commission

174. At its 10th meeting, on 28 April 2006, the Commission on Crime Prevention and Criminal Justice considered agenda item 10, entitled "Provisional agenda for the sixteenth session of the Commission". For its consideration of the item, the Commission had before it a document containing the draft provisional agenda and documentation for the sixteenth session of the Commission on Crime Prevention and Criminal Justice (E/CN.15/2006/L.1/Add.1).

175. Following an introductory statement by its Chairman, the Commission heard statements by the representatives of the United States, Austria (on behalf of the European Union), China, Nigeria, Japan, Thailand, the Libyan Arab Jamahiriya, Canada, Pakistan and the Islamic Republic of Iran. Statements were also made by the observers for Colombia, France and Australia.

A. Deliberations

176. In introducing the item, the Chairman indicated that, in accordance with past practice and the rules of procedure of the functional commissions of the Economic and Social Council, a draft provisional agenda for the sixteenth session of the Commission (E/CN.15/2006/L.1/Add.1), including the theme for the thematic discussion, had been prepared by the Secretariat, in consultation with the Chairman and the extended bureau at its meetings held on 25 and 27 April 2006 and presented for consultation within the regional groups, endorsed and submitted by the extended bureau for the consideration of the Commission. Two delegations pointed out, however, that not all regional groups had participated in the consultations on the draft provisional agenda. Thus, in their view, further discussion on it was necessary. The draft agenda contained the topic for the thematic discussion at the sixteenth session of the Commission, which had been endorsed by the Commission at its intersessional meeting held on 23 November 2005. It also reflected required changes arising from the discussions on revitalization of the Commission and the new mandates envisaged in draft resolution I, entitled "Strengthening the United Nations Crime Prevention and Criminal Justice Programme and the role of the Commission on Crime Prevention and Criminal Justice as its governing body", which the Commission was recommending to the Economic and Social Council for adoption by the General Assembly.

177. One representative presented a paper (see annex XIV) outlining a restructured draft provisional agenda for the sixteenth session of the Commission, noting that the proposal was closely linked to the issue of revitalization and assumed that the sixteenth session would have a duration of five days and be preceded by informal pre-session consultations. The proposal also included the expectation that the Commission would consider the biennial budget of the United Nations Crime Prevention and Criminal Justice Fund at a reconvened session, as had been done by the Commission on Narcotic Drugs.

178. Several representatives expressed appreciation and support for the proposal presented to the Commission, noting that it contained significant innovations intended to facilitate the work of the Commission. In that context, several others also stated that the proposal would require further in-depth study and consideration by Member States and recommended that the matter should be taken up by the Commission during its intersessional period.

B. Action taken by the Commission

179. At its 10th meeting, on 28 April 2006, the Commission approved the draft decision for adoption by the Economic and Social Council on the understanding that the draft provisional agenda and documentation for the sixteenth session would be examined and finalized by the Commission at its intersessional meetings, taking into account the proposal presented to the Commission and contained in annex XIV. (For the text, see chapter I, section C, draft decision I.)

Chapter X

Adoption of the report of the Commission on its fifteenth session

180. At its 10th meeting, on 28 April 2006, the Commission adopted by consensus the report on its fifteenth session (E/CN.15/2006/L.1 and Add.1-8), as orally amended.

Chapter XI

Organization of the session

A. Opening and duration of the session

181. The Commission on Crime Prevention and Criminal Justice held its fifteenth session in Vienna from 24 to 28 April 2006. The Commission held 10 plenary meetings and 10 meetings of the Committee of the Whole. The Chairman of the Commission opened the session and delivered an opening statement. The Executive Director of UNODC and Julia Ormond, UNODC Goodwill Ambassador on trafficking in human beings, made opening statements. At its opening meeting, the Commission was also addressed by the observer for Kenya (on behalf of the Group of African States), the representative of Bolivia (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), the observer for Panama (on behalf of the Group of Latin American and Caribbean States) and the observer for the Republic of Moldova (on behalf of the GUUAM).

B. Attendance

182. The session was attended by representatives of 32 States members of the Commission. Also attending were observers for 73 other States Members of the United Nations, 2 non-member States represented by observers, representatives of 19 entities of the United Nations system and observers for the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, 7 intergovernmental organizations, and 30 non-governmental organizations in consultative status with the Economic and Social Council. A list of participants is contained in annex I to the present report.

C. Election of officers

183. The Chairman of the Commission recalled that, in its resolution 2003/31 of 22 July 2003, entitled "Functioning of the Commission on Crime Prevention and Criminal Justice", the Economic and Social Council had decided that, with effect from 2004, the Commission should, at the end of its session, elect its bureau for the subsequent session and encourage it to play an active role in the preparation of the regular as well as the informal intersessional meetings of the Commission.

184. In accordance with Economic and Social Council resolution 2003/31 and rule 16 of the rules of procedure of the functional commissions of the Economic and Social Council, immediately following the closure of its fourteenth session, on 27 May 2005, the Commission held a meeting of the fifteenth session for the sole purpose of electing the new chairman and other members of the bureau.

185. On 27 May 2005, the Commission elected the following officers for its fifteenth session:

Office	*Regional group*	*Elected officer*
Chairman	Group of Western European and other States	Gabriele de Ceglie (Italy)
Third Vice-Chairman	Group of Eastern European States	Vasyl Pokotylo (Ukraine)

186. During the intersessional period, the Group of Asian States nominated Ali Sarwar Naqvi (Pakistan), who later became unavailable, for the post of First Vice-Chairman designate, and the Group of Latin American and Caribbean States nominated Carmen Lidia Richter Ribeiro Moura (Brazil) as Rapporteur designate.

187. At its opening meeting, on 24 April 2006, in accordance with rule 19 of the rules of procedure of the functional commissions of the Economic and Social Council, the Commission elected the First and Second Vice-Chairmen and the Rapporteur. The bureau of the Commission at its fifteenth session was as follows:

Chairman:	Gabriele de Ceglie (Italy)
First Vice-Chairman:	Shahbaz (Pakistan)
Second Vice-Chairman:	Ayman Ahmed Mokhtar El Gammal (Egypt)
Third Vice-Chairman:	Vasyl Pokotylo (Ukraine)
Rapporteur:	Carmen Lidia Richter Ribeiro Moura (Brazil)

188. A group composed of the chairmen of the five regional groups (the observers for or representatives of Bulgaria, Kenya, India, the Netherlands and Panama), as well as the representatives of Bolivia (on behalf of the Group of 77 and China) and Austria (on behalf of the European Union), was established to assist the Chairman of the Commission in dealing with organizational matters. That group, together with the elected officers, constituted the extended bureau foreseen in Economic and Social Council resolution 2003/31. During the fifteenth session of the Commission, the extended bureau met on 25 and 27 April to consider matters related to the organization of work.

D. Adoption of the agenda and organization of work

189. At its 1st meeting, on 24 April 2006, the Commission adopted by consensus its provisional agenda (E/CN.15/2006/1), which had been approved by the Economic and Social Council in its decision 2005/249 of 22 July 2005. The Commission also adopted by consensus the annotations to the provisional agenda and its organization of work, contained in the same document. The agenda was as follows:

1. Election of officers.
2. Adoption of the agenda and organization of work.
3. Work of the United Nations Office on Drugs and Crime.
4. Thematic discussion on maximizing the effectiveness of technical assistance provided to Member States in crime prevention and criminal justice.

5. Follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice:

6. International cooperation in combating transnational crime:

   (a) United Nations Convention against Transnational Organized Crime and the Protocols thereto;

   (b) United Nations Convention against Corruption;

   (c) Preventing, combating and punishing trafficking in human organs;

   (d) Fraud, the criminal misuse and falsification of identity and related crimes.

7. Strengthening international cooperation and technical assistance in preventing and combating terrorism.

8. Use and application of United Nations standards and norms in crime prevention and criminal justice:

   (a) Instruments for gathering information on United Nations standards and norms in crime prevention and criminal justice;

   (b) Protection against trafficking in cultural property;

   (c) Combating the spread of HIV/AIDS in criminal justice pre-trial and correctional facilities.

9. Strategic management and programme questions:

   (a) Functioning of the Commission on Crime Prevention and Criminal Justice, including its revitalization;

   (b) Programme questions.

10. Provisional agenda for the sixteenth session of the Commission.

11. Adoption of the report of the Commission on its fifteenth session.

E. Documentation

190. The documents before the Commission at its fifteenth session are listed in annex XV to the present report.

F. Closure of the fifteenth session

191. Closing statements were made by the Executive Director of UNODC and the Chairman of the Commission.

Annex I

Attendance

Members*

Armenia	Jivan Tabibian, Armen Yeritsyan, M. Sargsyan, Aram Barseghyan
Austria	Karin Gastinger, Thomas Stelzer, Johann Frölich, Wolfgang Spadinger, Thorsten Eisingerich, Michel Postl, Irene Gartner, Ulrike Katherein, Brigitte Pfriemer, Christian Böhm, Barbara Schrotter, Maria Steinbauer, Christoph Klose, Smera Rehman
Bolivia	Renato Pardo Angles, Horacio Bazoberry Otero, Sergio Olmós, Julio Mollinedo Claros
Brazil	Celso Marcos Vieira de Souza, Carmen Lidia Richter Ribeiro Moura, Márcio Pereira Pinto Garcia, Maria Feliciana Ortigão, Hélio Franchini Neto
Canada	Marie Gervais-Vidricaire, Lucie Angers, Donald K. Piragoff, Adele Dion, Scott Douglas Proudfoot, Yves Beaulieu, Debra Steele, Christopher Ram, Mary-Anne Kirvan, Kimberly A. Cowan
Chile	Milenko Skoknic Tapia, Eduardo Schott Stolzenbach, Rosa Meléndez Jiménez, Héctor Muñoz, Juan Cristobal González, Nelly Salvo
China	Xiaobing Gong, Feng Ye, Dong Wang, Guide Jia, Yong Sun, Huijun Qiao, Ni Tian, Haigang Yin, Ting Shao, Yang Zhao
Comoros	Mahmoud Aboud, Laila Mohamed, Ben Wang
Costa Rica	Ronald Woodbridge Gonzalez
Cuba	Esther Recio Zamora, Norma Goicoechea-Estenoz, Martha Estela Suri, Rafael García, Nilo E. Rodriguez Moral
Czech Republic	Ivan Pocuch, Radim Bures, Adam Borgula, Miroslav Scheinost, Pavel Novotny, Petr Havlik, Milan Dufek
Egypt	Ramzy Ezzeldin Ramzy, Adel Fahmy, Mootaz Ahmadein Bahie El Din Khalil, Ayman Ahmed Mokhtar El Gammal, Abdel Wahab Bakyr, Mayada Essam
Finland	Kirsti Kauppi, Kaarle J. Lehmus, Aarne Kinnunen, Pia Raassina-Terho, Tarja Kangaskorte
Germany	Herbert Honsowitz, Otto Boenke, Joerg-Werner Marquardt, Martina Hackelberg, Ursula Elbers, Beeke-Katharina Lange
India	P. V. Bhide, P. P. Srivastava, Divya Prakash Sinha, Ashok Kumar, R. K. Joshi
Indonesia	Triyono Wibowo, Immanuel Robert Inkiriwang, Hasan Kleib, M. Suharto, Noor Hidayat, Rachmat Budiman, Teguh Rahardja, Budiman Peranginangin, Dian Kusumaningsih, Elsa Miranda

* Botswana, Burundi, the Democratic Republic of the Congo, Jamaica, the Niger, Senegal and Uganda were not represented at the session.

Iran (Islamic Republic of)	Ali Asghar Soltanieh, Ali Hajigholam Saryazdi, E. Baghaei Hamaneh
Italy	Gabriele de Ceglie, Alessandro Azzoni, Enrico Valvo, Fabrizio Gandini, John Napolitano, Marco Garzillo, Giovanni Cangelosi, Francesca Sommella
Japan	Shotaro Tochigi, Shigeki Sumi, Masahiro Tauchi, Kazuo Sakakibara, Takeshi Seto, Kohei Sakai, Iichiro Sakata, Tsunemasa Kato, Shingo Nakagawa, Atsuko Hirabayashi, Satoko Toku
Libyan Arab Jamahiriya	Fadel A. M. Ben Ashur
Mexico	Patricia Espinosa Cantellano, Fausto Armando Vivanco Castellanos, Mario Alberto Arzave Trujillo, Humberto Trujillo Ramos
Namibia	Issaskar V. K. Ndjoze, Daniel R. Smith, Maria Kaakunga, Collin O'Brien Namalambo, Paulus Noa
Nigeria	Carol Ndaguba, Aekunle O. Adeyanju, Olawale Idris Maiyegun, A. A. Hussain, U. S. Haruna, Abbia Udofia, Elizabeth Adeyoyin Ayodele, Dorothy Gimba
Pakistan	Shahbaz, Sajid Bilal, Imran Ahmed Siddiqui
Paraguay	Oscar Cabello, Marcela Afara
Republic of Korea	Sung-Hwan Kim, Seong-Woo Moon, Chong-Hoon Kim, Sung-Hoon Lee, Moon-Hwan Kim, Cheol-Kyu Hwang, Hyong-Won Bae, You-Jin Kim, Kwang-Yong Chung, Jong-Wook Jeong, Tae-Hoon Lee, Kyoung Hee Koh
Russian Federation	Anatoly E. Safonov, Nikolay R. Kudashev, Anatoly K. Kobzev, Daniil Yu Zuikov, Vadim S. Glamazdin, Said Selim S. Peshkhoev, Valery A. Grobovoy, Igor V. Sergeev, Andrey B. Chernishov, Gennadiy V. Polubenko, Pavel V. Livadny, Tatiana N. Krapivnaya, Alla B. Nanieva, Elena E. Kovylina, Valery A. Kolodyazhny
Saudi Arabia	Omar bin Mohammed Kurdi, Sultan bin Abdelaziz Al Anqari, Mohsin Abdulrahman Alyami, Abdullah bin Mohammed Al Waheeb, Mutlaq bin Saleh Al Dabajan, Hamad S. Alnatheer, Omar bin Saleh Alzahrani, Abdulaziz Alhassan, Abdelhamid bin Abdulazis Al Gallikah, Jamal Nasef
Thailand	Prapun Naigowit, Bajrakittiyabha Mahidol, Adisak Panupong, Tongthong Chandransu, Somchai Charanasomboon, Chakorn Suchiva, Kobkiat Kasivivat, Sooboon Vuthiwong, Thaveesak Tuchinda, Somkiet Kuwawattananont, Pratan Chularojanamontri, Sriporn Panyoong, Chavanart Thangsumphant, N. Yutidhammadamrong, Vongthep Arthakaivalvatee, Kudatara Nagaviroj, Paramate Boonyanan
Ukraine	O. Shutyak, O. Vasylyshyn, R. Sivers, O. Ilnytskyi, V. Pokotylo

United Kingdom of Great Britain and Northern Ireland	Peter Jenkins, Jonathan Allen, Linda Ward, Alison Crocket, Steven Goadby, Faiza Tayab, Achim Holzenberger, Moira Andrews
United States of America	Gregory L. Schulte, John Bargeron, George Glass, Elizabeth Verville, Jay Albanese, Thomas Burrows, Christine Cline, Benjamin Longlet, Laura Mckechnie, Virginia P. Prugh, Howard Solomon, C. Scott Thompson, Guinnevere Roberts

States Members of the United Nations represented by observers

Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Azerbaijan, Belarus, Belgium, Bulgaria, Burkina Faso, Cape Verde, Colombia, Cote d'Ivoire, Croatia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Ethiopia, France, Georgia, Greece, Guatemala, Hungary, Iraq, Jordan, Kazakhstan, Kenya, Kuwait, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Monaco, Mongolia, Morocco, Netherlands, Norway, Oman, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Sao Tome and Principe, Serbia and Montenegro, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Syrian Arab Republic, the Former Yugoslav Republic of Macedonia, Tunisia, Turkey, United Arab Emirates, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe

Non-member States represented by observers

Holy See

United Nations Secretariat

Department of Peacekeeping Operations, United Nations Office on Drugs and Crime, United Nations Human Settlements Programme

United Nations bodies

Office of the United Nations High Commissioner for Refugees, United Nations Children's Fund

United Nations research institutes

United Nations Interregional Crime and Justice Research Institute

Affiliated regional institutes and associated institutes

Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, Latin American Institute for the Prevention of Crime and the Treatment of Offenders, European Institute for Crime Prevention and Control, affiliated with the United Nations, African Institute for the Prevention of Crime and the Treatment of Offenders, International Centre for Criminal Law Reform and Criminal Justice Policy, Australian Institute of Criminology, International Institute of Higher Studies in Criminal Sciences, Naif Arab University for Security Sciences, National Institute of Justice of the United States Department of Justice, Raoul Wallenberg Institute of Human Rights and Humanitarian Law, International Centre for the Prevention of Crime, Korean Institute of Criminal Justice Policy, International Scientific and Professional Advisory Council

United Nations councils, commissions, committees and other organs represented by observers

Commission on Human Rights: Special Rapporteur on violence against women, its causes and consequences

Specialized agencies and other organizations in the United Nations system

World Bank

Other intergovernmental organizations represented by observers

Council of Arab Ministers of the Interior, Asian-African Legal Consultative Organization, Council of Europe, European Commission, International Organization for Migration, League of Arab States, Organization for Security and Cooperation in Europe

Other entities maintaining permanent observer offices

International Federation of Red Cross and Red Crescent Societies, Sovereign Military Order of Malta

Other entities

Offshore Group of Banking Supervisors

Non-governmental organizations

General consultative status: Asia Crime Prevention Foundation, Friends World Committee for Consultation, International Alliance of Women, International Council of Women, International Federation of Business and Professional Women, Soroptimist International, Women's Federation for World Peace International, Zonta International

Special consultative status: American Society of Criminology, Centro Nazionale di Prevenzione e Difesa Sociale, Defence for Children International, Howard League for Penal Reform, Institute for Policy Studies, International Association against Drug Abuse and Drug Trafficking, International Association of Penal Law, International Association of Prosecutors, International Bureau for Children's Rights, International Commission of Catholic Prison Pastoral Care, International Federation Terre Des Hommes, International League for Human Rights, International Police Association, Japan Federation of Bar Associations, National Council of German Women's Organizations, Pax Romana, Penal Reform International, Sisterhood Is Global Institute, Union internationale des avocats, World Society of Victimology

Roster: SOS Attentats

Annex II

Financial statement on the draft resolution entitled "Follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice"*

1. The present statement was made in accordance with rule 28 of the rules of procedure of the Economic and Social Council.

2. In operative paragraph 4 of revised draft resolution E/CN.15/2006/L.8/Rev.1, the Commission on Crime Prevention and Criminal Justice would recommend that the Economic and Social Council request the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office, to convene an intergovernmental group of experts with equitable geographical representation to discuss the Eleventh Congress and previous congresses in order to accumulate and consider lessons learned from prior congresses with a view to developing a methodology for capturing lessons learned for future congresses, and to submit a report of its work to the Commission on Crime Prevention and Criminal Justice at its sixteenth session for its consideration.

3. Pursuant to that decision, it is envisaged that there would be 8 half-day meetings over a four-day period (a total of 32 meetings) with simultaneous interpretation in three languages (English, French and Spanish).

4. The conference-servicing requirements for the anticipated four-day session are estimated at $99,700. Should the Commission adopt revised draft resolution E/CN.15/2006/L.8/Rev.1, the related conference-servicing requirements would be funded from extrabudgetary resources.

5. The attention of the Commission was drawn to the provisions of section VI of General Assembly resolution 45/248 B of 21 December 1990, in which the Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters, and reaffirmed also the role of the Advisory Committee on Administrative and Budgetary Questions. The attention of the Commission was also drawn to paragraph 67 of the first report of the Advisory Committee on the proposed programme budget for the biennium 2000-2001,[a] which indicated that the use of the phrase "within existing resources" or similar language in resolutions had a negative impact on the implementation of activities; therefore efforts should be made to avoid the use of that phrase in resolutions and decisions.

Notes

[a] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 7* (A/54/7).

* For the text of the draft resolution, which originally appeared under the symbol E/CN.15/2006/L.8/Rev.1, see chapter I, section B, draft resolution VII. For the discussion, see chapter IV, section B.

Annex III

Financial statement on the draft resolution entitled "International cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims"*

1. The present statement was made in accordance with rule 28 of the rules of procedure of the Economic and Social Council.

2. In operative paragraph 5 of revised draft resolution E/CN.15/2006/L.14/Rev.1, the Commission on Crime Prevention and Criminal Justice would recommend, through the Economic and Social Council, that the General Assembly invite Member States, once they have considered the operational manual, to consider the possibility of using it in their national efforts to combat kidnapping, and request the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office, to provide to Member States, upon request, technical assistance and advice in implementing the provisions of the manual.

3. The attention of the Commission was drawn to the provisions of section VI of General Assembly resolution 45/248 B of 21 December 1990, in which the Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters, and reaffirmed also the role of the Advisory Committee on Administrative and Budgetary Questions. The attention of the Commission was also drawn to paragraph 67 of the first report of the Advisory Committee on the proposed programme budget for the biennium 2000-2001,[a] which indicated that the use of the phrase "within existing resources" or similar language in resolutions had a negative impact on the implementation of activities; therefore efforts should be made to avoid the use of that phrase in resolutions and decisions.

Notes

[a] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 7* (A/54/7).

* For the text of the draft resolution, which originally appeared under the symbol E/CN.15/2006/L.14/Rev.1, see chapter I, section A, draft resolution II. For the discussion, see chapter V, section B.

Annex IV

Financial statement on the draft resolution entitled "International cooperation in the fight against corruption"*

1. The present statement was made in accordance with rule 28 of the rules of procedure of the Economic and Social Council.

2. In operative paragraphs 4 and 11 of revised draft resolution E/CN.15/2006/L.6/Rev.2, the Commission on Crime Prevention and Criminal Justice would recommend that the Economic and Social Council:

(a) Call upon all Member States to hold intensive consultations and make proposals for the preparation of the Conference of the States Parties to the United Nations Convention against Corruption, including by open-ended consultations facilitated by the United Nations Office on Drugs and Crime (UNODC), within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office, and without prejudice to the mandate and work of the Conference of the States Parties;

(b) Request UNODC, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office and in particular through its Global Programme against Corruption, to continue to assist States, upon request, with sustainable capacity-building focused on the promotion of the implementation of the United Nations Convention against Corruption.

3. With regard to the provisions contained in operative paragraph 4, resources for the substantive servicing and documentation related to the Conference of the States Parties to the United Nations Convention against Corruption are already included in the programme of work of subprogramme 2, Services for policymaking and treaty adherence, of section 16, International drug control, crime prevention and criminal justice, of the proposed programmme budget for the biennium 2006-2007 (A/60/6 (Sect.16)). However, should the open-ended consultations require interpretation in all six languages, the additional requirements for the anticipated total of eight meetings over a two-day period are estimated at $50,500. It is envisaged that the additional interpretation requirements would be funded from extrabudgetary resources.

4. As concerns the request contained in operative paragraph 11, it is to be noted that the Global Programme against Corruption focuses its efforts mainly on three areas: (a) the development and promotion of standards, policies and practical tools for the Conference of the States Parties to the United Nations Convention against Corruption geared at guiding Member States in ensuring full compliance with the Convention (General Assembly resolution 58/4, annex); (b) coordination and cooperation with other international and regional organizations in order to enhance consistency and coherence of anti-corruption policy and technical advice in the light of the Convention and to avoid unnecessary duplication of efforts and enhance the effective use of scarce development resources; and (c) assistance to Member States

* For the text of the draft resolution, which originally appeared under the symbol E/CN.15/2006/L.6/Rev.2, see chapter I, section B, draft resolution V. For the discussion, see chapter V, section B.

through policy advice and technical expertise in implementing key provisions of the Convention, including the creation and/or the strengthening of anti-corruption bodies and the courts, as well as supporting asset recovery.

5. Should the Commission adopt revised draft resolution E/CN.15/2006/L.6/Rev.1, additional resources arising from the provision of sustained capacity-building activities in the biennium 2006-2007 would be met from extrabudgetary resources.

6. The attention of the Commission was drawn to the provisions of section VI of General Assembly resolution 45/248 B of 21 December 1990, in which the Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters; and reaffirmed also the role of the Advisory Committee on Administrative and Budgetary Questions. The attention of the Committee was also drawn to paragraph 67 of the first report of the Advisory Committee on the proposed programme budget for the biennium 2000-2001,[a] which indicated that the use of the phrase "within existing resources" or similar language in resolutions had a negative impact on the implementation of activities; therefore efforts should be made to avoid the use of that phrase in resolutions and decisions.

Notes

[a] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 7* (A/54/7).

Annex V

Financial statement on the draft resolution entitled "Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking"*

1. The present statement was made in accordance with rule 28 of the rules of procedure of the Economic and Social Council.

2. Under the terms of operative paragraphs 15 and 16 of revised draft resolution E/CN.15/2006/L.9/Rev.2, the Commission on Crime Prevention and Criminal Justice would recommend that the Economic and Social Council:

(a) Request the United Nations Office on Drugs and Crime (UNODC) to continue to promote the ratification of, and to assist, upon request, Member States in the implementation of, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (General Assembly resolution 55/25, annex I), within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office;

(b) Also request UNODC to organize a meeting on technical assistance for Member States in order to coordinate, with due regard to the work of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, the work of agencies and bodies of the United Nations system, as well as other relevant intergovernmental organizations, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office.

3. The attention of the Commission was drawn to the provisions of section VI of General Assembly resolution 45/248 B of 21 December 1990, in which the Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters; and reaffirmed also the role of the Advisory Committee on Administrative and Budgetary Questions. The attention of the Commission was also drawn to paragraph 67 of the first report of the Advisory Committee on the proposed programme budget for the biennium 2000-2001,[a] which indicated that the use of the phrase "within existing resources" or similar language in resolutions had a negative impact on the implementation of activities; therefore efforts should be made to avoid the use of that phrase in resolutions and decisions.

Notes

[a] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 7* (A/54/7).

* For the text of the draft resolution, which originally appeared under the symbol E/CN.15/2006/L.9/Rev.2, see chapter I, section B, draft resolution VIII. For the discussion, see chapter V, section B.

Annex VI

Financial statement on the draft resolution entitled "Crime prevention and criminal justice responses to violence against women and girls"*

1. The present statement was made in accordance with rule 28 of the rules of procedure of the Economic and Social Council.

2. In operative paragraph 3 of revised draft resolution E/CN.15/2006/L.13/Rev.1, the Commission on Crime Prevention and Criminal Justice would recommend that the Economic and Social Council request the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office, and invite the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network to consider providing assistance, upon request, to Member States in the area of crime prevention and criminal justice responses to violence against women and girls, in cooperation with other relevant entities of the United Nations system, and to integrate the elimination of violence against women and girls into their training and technical assistance efforts, including their crime prevention activities.

3. The attention of the Commission was drawn to the provisions of section VI of General Assembly resolution 45/248 B of 21 December 1990, in which the Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters; and reaffirmed also the role of the Advisory Committee on Administrative and Budgetary Questions. The attention of the Commission was also drawn to paragraph 67 of the first report of the Advisory Committee on the proposed programme budget for the biennium 2000-2001,* which indicated that the use of the phrase "within existing resources" or similar language in resolutions had a negative impact on the implementation of activities; therefore efforts should be made to avoid the use of that phrase in resolutions and decisions.

Notes

* *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 7* (A/54/7).

* For the text of the draft resolution, which originally appeared under the symbol E/CN.15/2006/L.13/Rev.1, see chapter I, section B, draft resolution X. For the discussion, see chapter V, section B.

Annex VII

Draft resolution entitled "International cooperation in preventing and combating international trafficking in timber and timber products from illegal logging"*

The Economic and Social Council,

Recalling General Assembly resolution 55/25 of 15 November 2000, by which the Assembly adopted the United Nations Convention against Transnational Organized Crime,[a] the United Nations Convention against Corruption,[b] the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES),[c] the United Nations Conference on Environment and Development, held in Rio de Janeiro, Brazil, from 3 to 14 June 1992,[d] and the World Summit on Sustainable Development, held in Johannesburg, South Africa, from 26 August to 4 September 2002,[e]

Noting the commitment made at the Summit of the Group of Eight in 2005 on a range of actions to tackle illegal logging,

Welcoming the established cooperation at the bilateral, regional and international levels to prevent and combat international trafficking in timber and timber products from illegal logging,

Recognizing that an essential mechanism of international cooperation in preventing and combating international trafficking in timber and timber products from illegal logging should be effective implementation of CITES,

Recognizing also that international trafficking in timber and timber products from illegal logging is exacerbated by corruption, contributes to an increasingly degraded environment, has a negative impact on the national economy, people's lives and livelihood, threatens the pristine habitat of wildlife, including rare and endangered species, and destabilizes transborder security,

Emphasizing that upholding the rule of law and promoting good governance are prerequisites for creating and sustaining an environment conducive to successfully preventing and combating crime,

Profoundly alarmed by the scale of illegal logging, its connections to other illegal activities and its substantial cost to many developing countries,

Stressing that international trafficking in timber and timber products from illegal logging is a crime often perpetrated by organized criminal groups and that

* The text of the draft resolution originally appeared in document E/CN.15/2006/L.10/Rev.2. For the discussion, see chapter V, section B.

[a] General Assembly resolution 55/25, annex I.

[b] General Assembly resolution 58/4, annex.

[c] United Nations, *Treaty Series*, vol. 993, No. 14537.

[d] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda).

[e] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum).

efforts to combat those groups can benefit from international, bilateral and regional cooperation,

Underscoring that the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption are two of the international instruments that may be utilized to counter international trafficking in timber and timber products from illegal logging,

1. *Expresses* its concern at the increasing trend in international trafficking in timber and timber products from illegal logging and other illicit activities supported thereby;

2. *Encourages* Member States to cooperate with one another in preventing and combating international trafficking in timber and timber products from illegal logging, including through the utilization of the United Nations Convention against Transnational Organized Crime,[7] the United Nations Convention against Corruption[8] and related international instruments;

3. *Also encourages* Member States to review and strengthen, as appropriate, and enforce their existing domestic laws aimed at countering international trafficking in timber and timber products from illegal logging;

4. *Urges* Member States to take appropriate measures, consistent with their domestic legislation and legal frameworks, to reduce the demand for internationally trafficked timber and timber products from illegal logging;

5. *Requests* the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office,[9] to convene an expert working group meeting to examine the myriad criminal aspects of illegal activities related to international trafficking in illegally logged timber and timber products, keeping in mind the application of the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption, in order to facilitate international cooperation to prevent, combat and punish such activities, with a view to developing a model approach applicable to the broader field of international trafficking in natural resource products, and to invite interested Member States, international customs and law enforcement organizations, relevant regional and international organizations, including the Centre for International Forestry Research, the International Network for Environmental Compliance and Enforcement, the Environmental Crimes Committee of the International Criminal Police Organization and the International Tropical Timber Organization, as well as entities of the United Nations system, including the United Nations Forum on Forests and the Food and Agriculture Organization of the United Nations, to send representatives with the requisite technical expertise to participate in the working group;

6. *Also requests* the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from

[7] General Assembly resolution 55/25, annex I.

[8] General Assembly resolution 58/4, annex.

[9] This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

the regular budget of the Office,[6] to make available to the expert working group relevant and appropriate policy, legislative, research and other materials and data about the nature and scope of the relationship between transnational organized crime, corruption and international trafficking in timber and timber products from illegal logging, and to invite Member States to provide such other materials as they deem appropriate for the expert group to consider;

7. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to submit a report on the implementation of the present resolution to the Commission on Crime Prevention and Criminal Justice, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption at their next sessions after the convening of the expert group meeting.

Annex VIII

Financial statement on the draft resolution entitled "International Permanent Observatory on Security Measures during Major Events"*

1. The present statement was made in accordance with rule 28 of the rules of procedure of the Economic and Social Council.

2. In operative paragraph 2 of revised draft resolution E/CN.15/2006/L.11/Rev.1, the Commission on Crime Prevention and Criminal Justice would recommend that the Economic and Social Council invite the United Nations Interregional Crime and Justice Research Institute, subject to the availability of extrabudgetary resources, to continue and expand its work on the International Permanent Observatory on Security Measures during Major Events, including by providing technical assistance and advisory resources on security during major events to Member States upon request.

3. The attention of the Commission was drawn to the provisions of section VI of General Assembly resolution 45/248 B of 21 December 1990, in which the Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters, and reaffirmed also the role of the Advisory Committee on Administrative and Budgetary Questions. The attention of the Commission was also drawn to paragraph 67 of the first report of the Advisory Committee on the proposed programme budget for the biennium 2000-2001,[1] which indicated that the use of the phrase "within existing resources" or similar language in resolutions had a negative impact on the implementation of activities; therefore efforts should be made to avoid the use of that phrase in resolutions and decisions.

Notes:

[1] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 7* (A/54/7).

* For the text of the draft resolution, which originally appeared under the symbol E/CN.15/2006/L.11/Rev.1, see chapter I, section B, draft resolution IX. For the discussion, see chapter VI, section B.

Annex IX

Financial statement on the draft resolution entitled "United Nations standards and norms in crime prevention"*

1. The present statement was made in accordance with rule 28 of the rules of procedure of the Economic and Social Council.

2. In operative paragraph 8 of revised draft resolution E/CN.15/2006/L.2/Rev.2, the Commission on Crime Prevention and Criminal Justice would recommend that the Economic and Social Council would request the Secretary-General to convene, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the United Nations Office on Drugs and Crime, an intergovernmental expert meeting, based on equitable geographical representation and open to observers, in cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, to design an information-gathering instrument in relation to United Nations standards and norms related primarily to victims issues and to study ways and means to promote their use and application, and to report on progress made in that connection to the Commission at its sixteenth session.

3. It was recalled that by resolution 60/247 A of 23 December 2005, the General Assembly approved regular budget resources totalling $31,527,800 under section 16, International drug control, crime prevention and criminal justice, of the proposed programme budget for the biennium 2006-2007 (A/60/6 (Sect. 16)). In addition, at the time of approval of the resolution, the Assembly was informed that extrabudgetary resources were projected at $256,420,000 for the section for the same period. The Assembly approved, under subprogramme 2, Services for policy-making and treaty adherence, of section 16, the convening of an intergovernmental expert group meeting to design information-gathering systems on certain categories of United Nations standards and norms in crime prevention and criminal justice to be funded in part from the regular budget and extrabudgetary resources (A/60/6 (Sect.16), para. 16.40 (a) (iii) (1)).

4. The attention of the Commission was drawn to the provisions of section VI of General Assembly resolution 45/248 B of 21 December 1990, in which the Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters, and reaffirmed also the role of the Advisory Committee on Administrative and Budgetary Questions. The attention of the Commission was also drawn to paragraph 67 of the first report of the Advisory Committee on the proposed programme budget for the biennium 2000-2001 (A/54/7),** which indicated that the use of the phrase "within existing resources" or similar language in resolutions had a negative impact on the implementation of activities; therefore efforts should be made to avoid the use of that phrase in resolutions and decisions.

* For the text of the draft resolution, which originally appeared under the symbol E/CN.15/2006/L.2/Rev.2, see chapter I, section B, draft resolution I. For the discussion, see chapter VIII, section B.

Annex X

Financial statement on the draft resolution entitled "Implementation of the Programme of Action, 2006-2010, on strengthening the rule of law and the criminal justice systems in Africa"*

1. The present statement was made in accordance with rule 28 of the rules of procedure of the Economic and Social Council.

2. In operative paragraphs 8 and 11 of revised draft resolution E/CN.15/2006/L.3/Rev.1, the Commission on Crime Prevention and Criminal Justice would recommend that the Economic and Social Council:

(a) Request the United Nations Office on Drugs and Crime (UNODC), within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office, to support the implementation of the Programme of Action, 2006-2010, in cooperation with all African States, the African Union and other regional organizations, in particular in the context of the New Partnership for Africa's Development (A/57/304, annex);

(b) Request the Executive Director of UNODC, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office, to devote high priority to the implementation of the Programme of Action, 2006-2010, and to present a progress report to the Commission at its seventeenth session, in 2008.

3. Should the Commission adopt revised draft resolution E/CN.15/2006/L.3/Rev.1, implementation of the provisions of the above paragraphs would entail provision of technical assistance and would thus give rise to financial implications. Technical assistance would in part be provided from resources included in section 16, International drug control, crime prevention and criminal justice, of the proposed programme budget for the biennium 2006-2007 (A/60/16 (Sect. 16)). However, extrabudgetary resources would also be required.

4. In that context, the attention of the Commission was drawn to the provisions of section VI of General Assembly resolution 45/248 B of 21 December 1990, in which the Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters; and reaffirmed also the role of the Advisory Committee on Administrative and Budgetary Questions. The attention of the Commission was also drawn to paragraph 67 of the first report of the Advisory Committee on the proposed programme budget for the biennium 2000-2001,[a] which indicated that the use of the phrase "within existing resources" or similar language in resolutions had a negative impact on the implementation of activities; therefore efforts should be made to avoid the use of that phrase in resolutions and decisions.

Notes

[a] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 7* (A/54/7).

* For the text of the draft resolution, which originally appeared under the symbol E/CN.15/2006/L.3/Rev.1, see chapter I, section B, draft resolution II. For the discussion, see chapter VII, section B.

Annex XI

Financial statement on the draft resolution entitled "Providing technical assistance for prison reform in Africa and the development of viable alternatives to imprisonment"*

1. The present statement was made in accordance with rule 28 of the rules of procedure of the Economic and Social Council.

2. In operative paragraphs 6, 10, 11 and 12 of draft resolution E/CN.15/2006/L.4/Rev.1, the Commission on Crime Prevention and Criminal Justice would recommend that the Economic and Social Council:

(a) Encourage the United Nations Office on Drugs and Crime (UNODC) Office, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office, to continue its work in the area of HIV/AIDS in prison settings, in partnership with other members of the Joint United Nations Programme on HIV/AIDS;

(b) Invite UNODC, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office, to develop further tools and training manuals, based on international standards and best practices, in the area of penal reform and alternatives to imprisonment, in particular in the areas of prison management, legal advice and assistance and the special needs in prison of women and children, as well as of persons with mental illness and the physically challenged;

(c) Request UNODC, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office, in cooperation with relevant partners, to continue to provide advisory services and technical assistance to Member States, upon request, in the area of penal reform, including restorative justice, alternatives to imprisonment, HIV/AIDS in prisons and the special needs of women and girls in prisons;

(d) Also request UNODC, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office, to develop a programme of technical assistance for Africa in penal reform and provision of alternatives to imprisonment, building on the commitments made at the Round Table for Africa held in Abuja on 5 and 6 September 2005, and in its Programme of Action, 2006-2010.

3. As concerns operative paragraphs 6, 10, 11 and 12, the substantive services associated with carrying out those activities would be provided from available resources under subprogramme 3, Technical assistance and advice, of section 16, International drug control, crime prevention and criminal justice, of the proposed programme budget for the biennium 2006-2007 (A/60/6 (Sect.16)).

* For the text of the revised draft resolution, which appeared under the symbol E/CN.15/2006/L.4/Rev.1, see chapter I, section B, draft resolution III. For the discussion, see chapter VII, section B.

4. However, in addition, should the Commission adopt revised draft resolution E/CN.15/2006/L.4/Rev.1, requirements estimated at $1,477,500 would also be required from extrabudgetary resources to provide the requested technical assistance and advisory services.

5. The attention of the Commission was drawn to the provisions of section VI of General Assembly resolution 45/248 B of 21 December 1990, in which the Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters; and reaffirmed also the role of the Advisory Committee on Administrative and Budgetary Questions. The attention of the Commission was also drawn to paragraph 67 of the first report of the Advisory Committee on the proposed programme budget for the biennium 2000-2001,[a] which indicated that the use of the phrase "within existing resources" or similar language in resolutions had a negative impact on the implementation of activities; therefore efforts should be made to avoid the use of that phrase in resolutions and decisions.

Notes

[a] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 7* (A/54/7).

Annex XII

Financial statement on the draft resolution entitled "Strengthening basic principles of judicial conduct"*

1. The present statement was made in accordance with rule 28 of the rules of procedure of the Economic and Social Council.

2. In operative paragraphs 4 and 8 of revised draft resolution E/CN.15/2006/L.5/Rev.1, the Commission on Crime Prevention and Criminal Justice would recommend that the Economic and Social Council:

(a) Request the United Nations Office on Drugs and Crime (UNODC), within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office and in particular through its Global Programme against Corruption, to continue to support the work of the Judicial Group on Strengthening Judicial Integrity;

(b) Request the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office, to convene an open-ended intergovernmental expert group, in cooperation with the Judicial Group on Strengthening Judicial Integrity and other international and regional judicial forums, to develop a technical guide to be used in providing technical assistance aimed at strengthening judicial integrity and capacity, as well as a commentary on the Bangalore Principles of Judicial Conduct, taking into account the views expressed and the revisions suggested by Member States.

3. With regard to the request contained in operative paragraph 4, resources for the substantive services associated with supporting the work of the Judicial Group on Strengthening Judicial Integrity are already included in the programme of work of subprogramme 2, Services for policymaking and treaty adherence, of section 16, International drug control, crime prevention and criminal justice, of the proposed programme budget for the biennium 2006-2007 (A/60/6 (Sect.16)).

4. As concerns the request contained in operative paragraph 8, it is estimated that conference-servicing requirements would amount to $280,000. Should the Commission adopt draft resolution E/CN.15/2006/L.5/Rev.1, the conference-servicing requirements would be financed from extrabudgetary resources.

5. The attention of the Commission was drawn to the provisions of section VI of General Assembly resolution 45/248 B of 21 December 1990, in which the Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters, and reaffirmed also the role of the Advisory Committee on Administrative and Budgetary Questions. The attention of the Commission was also drawn to paragraph 67 of the first report of the Advisory Committee on the proposed programme budget for the biennium 2000-2001,* which indicated that the use of the

* For the text of the revised draft resolution, which appeared under the symbol E/CN.15/2006/L.5/Rev.1, see chapter I, section B, draft resolution IV. For the discussion, see chapter VII, section B.

phrase "within existing resources" or similar language in resolutions had a negative impact on the implementation of activities; therefore efforts should be made to avoid the use of that phrase in resolutions and decisions.

Notes

[*] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 7* (A/54/7).

Annex XIII

Financial statement on the draft resolution entitled "Strengthening the rule of law and the reform of criminal justice institutions, including in post-conflict reconstruction"*

1. The present statement was made in accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council.

2. In operative paragraphs 2, 3, 4 and 5 of revised draft resolution E/CN.15/2006/L.7/Rev.1, the Commission on Crime Prevention and Criminal Justice would recommend that the Economic and Social Council:

(a) Encourage the United Nations Office on Drugs and Crime (UNODC), within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office, to continue to develop tools and training manuals on criminal justice reform;

(b) Encourage UNODC, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office, to further develop its comprehensive programme in strengthening the rule of law and the reform of criminal justice institutions with a continued focus on vulnerable groups, such as women and children, countries with economies in transition and countries in post-conflict situations and the need for capacity-building at the field office level, and to develop innovative approaches and partnerships in that area;

(c) Also encourage UNODC, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office, to continue to provide long-term sustainable technical assistance in the area of criminal justice reform to Member States in post-conflict situations;

(d) Invite UNODC, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office, to provide its expertise, where appropriate and upon request, to the Peacebuilding Commission, the rule of law assistance unit, in the ongoing work of the Rule of Law Focal Point Network and other relevant entities.

3. Adoption of revised draft resolution E/CN.15/2006/L.7/Rev.1 by the Commission would not give rise to any additional resource requirements.

4. However, the attention of the Commission was drawn to the provisions of section VI of General Assembly resolution 45/248 B of 21 December 1990, in which the Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters, and reaffirmed also the role of the Advisory Committee on Administrative and Budgetary Questions. The attention of the Commission was also drawn to paragraph 67 of the first report of the Advisory Committee on the proposed

* For the text of the revised draft resolution, which appeared under the symbol E/CN.15/2006/L.7/Rev.1, see chapter I, section B, draft resolution VI. For the discussion, see chapter VII, section B.

programme budget for the biennium 2000-2001,[a] which indicated that the use of the phrase "within existing resources" or similar language in resolutions had a negative impact on the implementation of activities; therefore efforts should be made to avoid the use of that phrase in resolutions and decisions.

Notes

[a] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 7* (A/54/7).

Annex XIV

Draft provisional agenda for the sixteenth session of the Commission on Crime Prevention and Criminal Justice: proposal of the United States of America

1. Election of officers.
2. Adoption of the agenda and organization of work.
3. Overview and activities of the United Nations Office on Drugs and Crime, including technical assistance: responses to world crime trends:
   (a) Work of the United Nations Office on Drugs and Crime to facilitate ratification and implementation of the crime and terrorism conventions;
   (b) Work of the United Nations Office on Drugs and Crime in other areas.
4. Expert/practitioner session A: emerging issues (2 sessions).
5. Expert/practitioner session B: crime congress topic—to be determined (2 sessions).
6. Use and application of United Nations standards and norms in crime prevention and criminal justice.
7. Budgetary, strategic management and programme questions.
8. Provisional agenda for the seventeenth session of the Commission.
9. Adoption of the report of the Commission on its sixteenth session.

Annex XV

List of documents before the Commission at its fifteenth session

Document number	*Agenda item*	*Title or description*
E/C.15/2006/1	2	Provisional agenda, annotations and proposed organization of work
E/CN.7/2006/5-E/CN.15/2006/2	3	Report of the Executive Director on development, security and justice for all: towards a safer world
E/CN.15/2006/3	3	Report of the Secretary-General on the rule of law and development: strengthening the rule of law and the reform of criminal justice institutions, including in post-conflict reconstruction
E/CN.15/2006/4	3	Note by the Secretary-General on the results of the meeting of the open-ended expert group on ways and means of improving crime data collection, research and analysis with a view to enhancing the work of the United Nations Office on Drugs and Crime and other relevant international entities
E/CN.15/2006/5 and Corr.1	3	Report of the Secretary-General on the activities of the institutes of the United Nations Crime Prevention and Criminal Justice Programme network
E/CN.15/2006/6	3	Note by the Secretary-General on the report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute
E/CN.15/2006/7	5	Report of the Secretary-General on the follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice
E/CN.15/2006/8	6	Report of the Secretary-General on the United Nations Convention against Transnational Organized Crime and the Protocols thereto
E/CN.15/2006/9	6	Report of the Secretary-General on the United Nations Convention against Corruption
E/CN.15/2006/10	6	Report of the Secretary-General on preventing, combating and punishing trafficking in human organs

Document number	*Agenda item*	*Title or description*
E/CN.15/2006/11 and Corr.1	6	Report of the Secretary-General on the study on fraud, the criminal misuse and falsification of identity and related crimes
E/CN.15/2006/12	7	Report of the Secretary-General on strengthening international cooperation and technical assistance in promoting the implementation of the universal conventions and protocols related to terrorism within the framework of the activities of the United Nations Office on Drugs and Crime
E/CN.15/2006/13 and Corr.1	8	Report of the Secretary-General on United Nations standards and norms in crime prevention and criminal justice
E/CN.15/2006/14	8	Report of the Secretary-General on protection against trafficking in cultural property
E/CN.15/2006/15	8	Report of the Secretary-General on combating the spread of HIV/AIDS in criminal justice pre-trial and correctional facilities
E/CN.15/2006/16 and Corr.1	9	Report of the Secretary-General on strengthening the role of the Commission on Crime Prevention and Criminal Justice
E/CN.15/2006/17	6	Note by the Secretary-General transmitting the recommendations of the Second World Summit of Attorneys General and General Prosecutors, Chief Prosecutors and Ministers of Justice, held in Doha from 14 to 16 November 2005
E/CN.15/2006/18	4	Note by the Secretary-General on the nomination of a member of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute
E/CN.15/2006/19	6 and 9	Note by the Secretary-General on the United Nations Convention against Transnational Organized Crime and the Protocols thereto
E/CN.15/2006/L.1 and Add.1-8	11	Draft report
E/CN.15/2006/L.2/Rev.2	8	United Nations standards and norms in crime prevention
E/CN.15/2006/L.3/Rev.1	8	Implementation of the Programme of Action, 2006-2010, on strengthening the rule of law and the criminal justice systems in Africa
E/CN.15/2006/L.4/Rev.1	8	Providing technical assistance for prison reform in Africa and the development of viable alternatives to imprisonment

Document number	*Agenda item*	*Title or description*
E/CN.15/2006/L.5/Rev.1	8	Strengthening basic principles of judicial conduct
E/CN.15/2006/L.6/Rev.2	6	International cooperation in the fight against corruption
E/CN.15/2006/L.7/Rev.1	8	Strengthening the rule of law and the reform of criminal justice institutions, including in post-conflict reconstruction
E/CN.15/2006/L.8/Rev.1	5	Follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice
E/CN.15/2006/L.9/Rev.2	6	Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking
E/CN.15/2006/L.10/Rev.2	6	International cooperation in preventing and combating international trafficking in timber and timber products from illegal logging
E/CN.15/2006/L.11/Rev.1	6 and 7	International Permanent Observatory on Security Measures during Major Events
E/CN.15/2006/L.12/Rev.1	9	Strengthening the United Nations Crime Prevention and Criminal Justice Programme and the role of the Commission on Crime Prevention and Criminal Justice as its governing body
E/CN.15/2006/L.13/Rev.1	6	Crime prevention and criminal justice responses to violence against women and girls
E/CN.15/2006/L.14/Rev.1	6	International cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims
E/CN.15/2006/CRP.1	8	Report of the Intergovernmental Expert Group Meeting to develop an information-gathering instrument on standards and norms primarily related to crime prevention, held in Vienna from 20 to 22 March 2006
E/CN.15/2006/CRP.2	4	Maximizing the effectiveness of technical assistance provided to Member States in crime prevention and criminal justice
E/CN.15/2006/CRP.3	3	Report of the Round Table for Africa, held in Abuja on 5 and 6 September 2005
E/CN.15/2006/CRP.4	6	Draft model law on mutual assistance in criminal matters

Document number	*Agenda item*	*Title or description*
E/CN.15/2006/CRP.5	6	Study on the functioning of extradition and mutual legal assistance through existing mechanisms, including bilateral, regional and multilateral agreements or arrangements
E/CN.15/2006/NGO/1	6	Statement submitted by the International Police Association on measures against organized crime
E/CN.15/2006/NGO/2	7	Statement submitted by the Asia Crime Prevention Foundation on the report on the International Seminar on Crime Prevention "Building International Cooperation against Terrorism"
E/CN.15/2006/NGO/3		Statement submitted by the International Association of Prosecutors
CTOC/COP/2005/8		Report of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime on its second session, held in Vienna from 10 to 21 October 2005